



**LEGAL**

*“Sharing in  
your sadness,  
as you  
remember”*

## **Bereavement Support**

**What to do when someone close to you dies**



## A STEP-BY-STEP GUIDE

This guide gives you practical information on how to notify and confirm a death, what happens to someone's accounts when they die, what you'll need to close their accounts and how to get help with funeral costs.

We also appreciate that sorting out these issues may be the last thing on your mind. So if you'd like to talk to someone to help you through the steps you need to take, have a look at the 'contacts us' page at the back of this leaflet. It tells you how you can get in touch.

To help you remember everything you need to do, we've included a checklist further on in leaflet.

## THE LEGAL TERMS AND PHRASES EXPLAINED

There are many legal terms used when someone dies. Here are some of the common phrases you may come across.

### ADMINISTRATOR

The person appointed when either no will can be found or there is no executor to carry out the intentions of the will.

### BENEFICIARY

Someone who is entitled to receive a specific gift, sum of money or share of the estate.

### DEATH CERTIFICATE

This is either the medical document issued by a qualified doctor, certifying the death of a person and stating the cause if known, or more commonly the legal document you get afterwards from a registrar, confirming the date, location and cause of the person's death.

### GRANT OF PROBATE

This is the official document that confirms to the executors that they have authority to act and which validates the will. Where there's a will, this will be a 'Grant of Probate'. Where there's no will, it will be 'Letters of Administration'. In Scotland, this is known as 'Certificate of Confirmation'.

### INHERITANCE TAX

A tax on the estate that generally applies when someone dies and when the value of their estate is above a specific threshold. The tax is paid before the estate can be distributed to the beneficiaries.

### INTESTATE/INTESTACY

When someone dies without leaving a valid will in place.

### LETTERS OF ADMINISTRATION

This is the official document that appoints people to handle a person's estate, where there is no will, no executors appointed in the will, no executors still living, or no executors willing to carry out the executor's duties.

### PERSONAL REPRESENTATIVE

This is the executor or administrator managing the deceased's estate.

### PROBATE

Probate is the legal process of dealing with someone's estate after they have died. It involves collecting all of the person's assets; their money, property and belongings - as well as settling debts and paying any taxes due, then sharing out what's left as directed in the will.





## **WILL**

A legal document which indicates who should benefit from the estate and how. It also appoints an executor to distribute the estates, and may appoint guardians or contain funeral wishes.

## **REGISTERING THE DEATH**

The government's website - **[gov.uk/register-a-death](https://gov.uk/register-a-death)** - is a good place to find everything you need to know including who can register the death and what they will need to do.

- a death certificate, and
- a certificate for burial or cremation

it's a good idea to ask for extra copies of the death certificate, as many organisations will need to see an original version (there can be a fee for this).

## **LETTING US KNOW**

### **If you do not yet have a death certificate**

If you don't yet have a death certificate and want to safeguard the account, you can let us know by contacting us.

### **What we will need to know**

- Their full name, date of birth and date of death
- The personal representative's name and address

### **What we will do once you let us know**

- We will write to the personal representative to let them know what the next steps are. If this information is not provided we will take reasonable steps to identify the personal representative so that we can get in touch.
- We will restrict any withdrawals on sole accounts to safeguard them.

### **Once you have a death certificate**

Once you have the original death certificate, or the coroner's interim certificate, you can register the death with us.

### **Letting other financial providers know**

If the person who died had accounts with a number of different providers, there is a free online Death Notification Service (DNS) that lets you complete one notification that will be sent to all the following. For more information please go to: [www.deathnotificationsservice.co.uk](http://www.deathnotificationsservice.co.uk)

- |                              |                        |
|------------------------------|------------------------|
| • Nationwide                 | • HSBC                 |
| • Bank of Scotland           | • Lloyds Banking Group |
| • Barclaycard                | • Santander UK         |
| • Barclays                   | • Scottish Widows      |
| • Halifax                    |                        |
| • The Royal Bank of Scotland |                        |

## **THE GOVERNMENT'S TELL US ONCE SERVICE**

When someone dies. There are a number of government departments you will need to inform. To help, the government offers a 'Tell Us Once Service' which lets you contact several departments in one go, such as:

- Department of Work and Pensions
- HMRC
- DVLA
- Passport Office
- Local Authority

This service is offered by most local authorities (not available in Northern Ireland or if the person was living permanently abroad). You can access this service online or by phone when you register the death. You'll need a unique reference number from the registrar to do this.

If you don't want to use Tell Us Once or it's not available to you, our checklist on the following pages includes the government departments you may need to tell about the death.

The government provides more guidance at [www.gov.uk/after-a-death](https://www.gov.uk/after-a-death)

## HELP WITH EXPENSES

### Paying for the funeral

If you are paying for the funeral, you may need to pay for this up front. There maybe a life insurance policy or sole funeral plan that's already paid for the funeral - but if there isn't we can release money from the accounts of the person who's died. If there isn't enough money in the account to pay all the costs, we'll release the available funds to help towards the final bill.

You can do one of the following:

- Fill in a Funds to Cover Fees form and/or Personal Representative registration form and return it to us.
- Send us the funeral invoice along with a covering letter with your name and address, and the name and address of the person who has died.

Please note, if it's an estimate we'll only pay the deposit, if it's the final invoice, we'll pay the full amount. All cheques will be made out to the Funeral Service provider.

- If the bill has been paid by the executor, as well as the funeral invoice, we'll also need to see a bank statement or credit card bill with their name and address, showing the payment.

### Paying for other urgent expenses

You may need money to pay for other urgent expenses such as fees for Grant of Probate/Letter of Administration or Inheritance Tax (IHT).

To cover Grant of Probate fees, just fill in a Funds to Cover Fees form and return it to us. We do not need to see the bill, as we'll make sure the cheque goes out to the Court.

To pay an inheritance tax (IHT) you can either:

Fill out and return form IHT423 to us.  
This available at [gov.uk/inheritance-tax](https://gov.uk/inheritance-tax). Once we receive this, we will send you a cheque.

OR

Fill in a Funds to Cover Fees form and return it to us. We do not need to see the bill as we will make the cheque out to HMRC.

## THE WILL AND THE ESTATE

### The will

If there is a will, we won't need to see it to close or release funds from an account. You can find our more information about wills, probate and inheritance tax at [gov.uk/wills-probate-inheritance](https://gov.uk/wills-probate-inheritance)

### Dealing with the estate

After someone dies their estate is shared out accordingly to their will or given to their next of kin if no will was left. A person's estate includes everything they own and everything that's registered in their name, things like:

- money (cash, bank or building society accounts, money owed by others)
- property
- personal possessions (such as jewellery or a car)
- insurance policies
- stocks and shares





## Personal Representatives

Being a personal representative (the 'executor' or 'administrator') is an important role as it's that person's responsibility to carry out the administration of the estate. This can include:

- collecting all the assets of the estate
- dealing with any paperwork
- settling debts, taxes funeral and administration costs
- appointing a solicitor
- applying for probate where needed

## Appointing someone to administer the estate

You might find it easier to appoint us, a specialist probate administrator, to complete the administration. Many personal representatives do this.

## Dealing with the estate yourself

You can deal with the estate yourself rather than appointing someone else to do it for you. You can find out more about Grant of Probate at [gov.uk](http://gov.uk) - however this can be complicated.

## DEALING WITH THEIR TAX AND BENEFITS

When someone dies, their tax, benefits and National Insurance will need to be sorted out as soon as possible. There may be tax to pay, or their estate might be owed some tax back. Just so you know, we are only able to provide tax and interest information on joint accounts up to the date the member died.

## Inheritance Tax

If you have been named as the personal representative, you will be responsible for paying an inheritance tax using funds from the person's estate. Find out more about inheritance tax and the IHT423 for at [gov.uk/inheritance-tax](http://gov.uk/inheritance-tax)

## WHAT WE NEED TO SEE TO CLOSE AN ACCOUNT

We will need to see different things to close an account depending on how much money is held in it. The amount in the account also affects when the money can be released.

If you are applying for a Grant of Probate, the original or certified copy of this document will need to be sent to us, along with a letter stating a request to close accounts.

## Less than £50,000

We will need a completed Request to Close Account(s) forms.

## £50,000 +

We will need a completed Request to Close Account(s) form and the Grant of Probate/Letter of Administration.

*We are not solicitors, nor do we hold ourselves out to be solicitors. We do however have legally trained staff.*

## WHAT HAPPENS TO THE ACCOUNTS THEY HELD



### Current accounts - jointly held

If you held a joint account, we will get the account changed to your name only and it will become solely yours. You will have access to any money in the account, or if it's overdrawn, you will take over sole responsibility for the overdraft.

Don't worry about returning their card and cheque book as we will cancel these automatically.

If there are any direct debits that have been taken out in the sole name of the person who died, they will need to be cancelled directly with the organisations.

### Current accounts - solely held

If they held a current account in just their name, it will stay open until we received the documents to close.

Don't worry about returning their card and cheque book as we will cancel these automatically.

Once we have seen the death certificate, all direct debits and standing orders will be frozen until the account is closed. (The personal representative should also contact the organisations concerned to cancel direct debits. That is not necessary with standing orders). If there is a house insurance direct debit, please check with the insurance company that the house is still covered whilst the estate is being dealt with.

Please note that payments into the account such as from the Department of Work and Pensions may be recalled.

### What happens with overdrawn sole accounts?

If the account is overdrawn, the overdraft may need to be repaid from the estate. Our probate manager will contact the personal representative to help with this, or you can contact us and ask for our probate manager.

### Credit Card

If the account has a zero balance, the account will close and you don't need to do anything else.

If the account has an outstanding debt it will need to be repaid from the estate, if the estate has enough money.

### Home Insurance

If you held a joint policy with the person who has died, we will notify the insurer.

### Trustee accounts

Where there's a trust deed for the account, it should explain what should happen when a trustee dies.

Where there's no trust deed, the personal representative (see our personal representative guide) of the deceased trustee can choose to :

- add a new trustee, or
- leave it to any remaining trustee(s) to manage the account, or
- transfer the account to the beneficiary, or
- ask to close the account

## YOUR CHECK LIST:

We have put together a checklist of people and organisations you may need to contact.

When you do, it's worth having to hand the following information about the person who has died:

- their National Insurance Number
- their date of marriage or civil partnership
- their NHS number
- their tax reference number
- their date and place of birth
- their passport and driving licence number

It's also a good idea to have their personal representatives' name and address.

## WHAT YOU NEED TO DO: YOUR CHECKLIST:

Please treat this as a guide, as it won't be right for everyone.

Legal things to do	Complete
Obtain a medical certificate from the hospital/doctor	
Register the death, find out more on <a href="https://gov.uk/register-a-death">gov.uk/register-a-death</a>	
Obtain copies of the certified death certificate	
If there is a will, check if there are any specific requests (for example, their funeral).	
Contact funeral director	
Notify solicitors/accountant / probate administrators	
Notify the executors named in the will or appoint an administrator	
Government organisations to contact if you're not using the Tell Us Once service	Complete
HM Revenue & Customs (HMRC) to deal with tax and cancel benefits	
Department for Work and Pensions (DWP) to cancel any benefits such as income support	
HM Passport Office (HMPO) to cancel passport	
Driver and Vehicle Licensing Agency (DVLA) to cancel driving licence	
The local council, (cancel housing benefit, council tax benefit, Blue Badge, inform council housing services and remove the person from the electoral register).	
Housing : who to contact	Complete
Their mortgage provider, landlord or local authority	
Royal Mail to arrange a re-direction service	
Utility companies such as phone, water, gas, electricity	
Any private organisation or agency providing home help	
TV or internet companies	
Financial things to sort out	Complete
Bank or building society accounts and National Savings	
Direct Debits and standing orders	
Credit cards and store cards	
Subscriptions to clubs, groups or magazines	
Insurance policies (house, car, travel, medical)	
Pension providers and life insurance companies	
Mobile phone	
Companies with which they may have had rental, hire purchase or loan agreements	
Other organisations and people to contact	Complete
Clubs, trade unions or associations to cancel membership or secure a refund	
Their doctor or hospital cancel any appointments. Their dentist and optician	
Their church or regular place of worship	

# Bereavement Support

Please do not hesitate to contact us:

## 3C LEGAL

Abbots Court Farm Business Park, Churchend, Tewkesbury GL20 6DA

Tel: 01684 291469 [www.3clegal.co.uk](http://www.3clegal.co.uk) Email: [info@3clegal.co.uk](mailto:info@3clegal.co.uk)

## Other Useful Websites:

### Help and bereavement support

- **Cruse Bereavement Care - [cruse.org.uk](http://cruse.org.uk)**  
Help with understanding and coping with grief following the death of someone close
- **The Samaritans - [samaritans.org](http://samaritans.org)**  
A completely confidential service support for any type of emotional stress.
- **Child Bereavement UK - [childbereavementuk.org](http://childbereavementuk.org)**  
Information, training and specialised support for when a child dies or a child is bereaved.
- **Age UK - [ageuk.org.uk](http://ageuk.org.uk)**  
Free help and advice from the UK's largest charity dedicated to helping people make the most of their later life.
- **Widowed and Young**  
Support group for young widowed men and women across the UK, married or not, with children or without. Tel; 0300 012 4929  
[www.widowedandyoung.org.uk](http://www.widowedandyoung.org.uk)

### Financial and legal advice

- **The Probate Service - [theprobateservice.org](http://theprobateservice.org)**  
Guidance for dealing with probate and inheritance tax.
- **Citizens Advice Bureau - [citizensadvice.org.uk](http://citizensadvice.org.uk)**  
Free legal advice and support.
- **HM Revenue & Customs**  
Pay As You Earn and Self Assessment,  
HM Revenue and Customs BX9 1AS UK  
Tel: 0300 200 3300
- **The General Register Office**  
PO Box 2, Southport PR82 2JD  
Email: [certificate.services@gro.gsi.gov.uk](mailto:certificate.services@gro.gsi.gov.uk)

### Funeral services

- **National Association of Funeral Directors - [nafd.org.uk](http://nafd.org.uk)**  
Helping with finding a registered funeral director in your area
- **The British Humanist Association - [humanism.org.uk/ceremonies](http://humanism.org.uk/ceremonies)**  
Helping with arranging non-religious funerals and ceremonies.
- **The Natural Death Centre - [naturaldeath.org.uk](http://naturaldeath.org.uk)**  
A charity offering support and guidance when planning a funeral



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