



Constituency Casework Guide

Sources of bereavement support

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Constituency Casework Guide: Bereavement support

1 March 2022

This Constituency Casework Guide seeks to provide advice on who to tell about a death, Social Security benefits, financial support, dealing with debt when a loved one dies, arranging a funeral, advice on what to do when a loved one dies abroad, bereavement leave, parental bereavement and support for child funeral costs, coroners and inquests, and sources of emotional and practical support.

Should MLAs or their constituency staff have any suggestions for information they would like to see in this guide, or have links to useful information that they would like to share, please feel free to contact the [Assembly Research and Information Service](#).

1 Who to tell about a death?

When a person is bereaved, there are many practical steps that must be taken in the days, weeks and months ahead. The NI Direct website contains a range of information on [‘Who to tell about a death?’](#) including who to contact, the information you are likely to need, and government and financial bodies that you may need to inform. It also contains links to a range of organisations that may be able to provide support and advice to the bereaved. Links to a range of support organisations are also provided at the end of this Constituency Casework Guide.

2 Social Security benefits: reporting a death

The Department for Communities’ [Bereavement Service](#) offers constituents a **single point of contact** for reporting a death of someone receiving Social Security benefits to the Department. The Service can also help constituents access any other benefits to which they may be entitled, such as [Bereavement Support Payment](#) and/or [Funeral Expenses Payments](#).

The Bereavement Service will:

- Record the date of death and tell each office that paid benefit to the deceased; and
- Offer constituents an eligibility check for other benefits they may be entitled to.

The Bereavement Service can be contacted on Freephone 0800 085 2463. Opening hours are Monday to Friday 9am-5pm. Offices are closed on weekends and bank holidays. Information on how British Sign Language or Irish Sign Language users can contact the service is available [here](#).

Information to be provided

Callers using the Bereavement Service will need to provide details of the deceased, including their:

- Date of birth;
- Date of death;
- National Insurance number; and
- Details of any benefits being received.

If eligible to make a claim for [Bereavement Support Payment](#) and/or [Funeral Expenses Payments](#), the Bereavement Service can take the information for an application over the phone and forward it to the relevant office. An overview of these payments is outlined in the next section of this Constituency Casework Guide, including the information a constituent will need to provide.

3 Financial support

Depending on eligibility, constituents experiencing bereavement may be able to claim the following financial support payments:

- Bereavement Support Payment
- Funeral Expenses Payment
- Widowed Parents Allowance

The following information on financial support payments has been extracted from the NI Direct website.

Bereavement Support Payment

[Bereavement Support Payment](#) provides financial support to assist with the more immediate costs caused by the death of a spouse or civil partner. It is paid where the date of death was on or after 6 April 2017.

A constituent may qualify for Bereavement Support if:

- Their spouse or civil partner died on or after 6 April 2017;
- They were under State Pension age when their spouse or civil partner died;
- They were resident in the UK at the time of death or live in a country where the UK has a relevant EU or reciprocal agreement;
- Their spouse or civil partner had paid a minimum of 25 Class 1 or Class 2 National Insurance contributions in any single tax year during their working life – exceptions to this may apply: if their spouse or civil partner died as a result of an industrial accident or prescribed disease or was unable to work their entire working life due to a disability.

Bereavement Support Payment does not require either the constituent or their partner to be in receipt of benefits before making an application.

There are **two rates of Bereavement Support Payment** – ‘**standard rate**’ and ‘**higher rate**’. Payments may include a larger initial payment, followed by up to 18 smaller monthly payments.

Standard rate – If a constituent was not pregnant or has no dependent children, they may be entitled to an initial payment of £2500 and up to 18 monthly payments of £100.

Higher rate – If the constituent is entitled to Child Benefit for at least one dependent child or were pregnant at the date of their spouse or civil partner’s death, they may be entitled to an initial payment of £3,500 and up to 18 monthly payments of £350.

A constituent is only entitled to the increased initial payment if a claim is made within 12 months of the death. To be eligible for up to 18 monthly payments their claim must be made within three months of the death.

Applications can be made up to 21 months after the death but their payments will be less.

Bereavement Support Payment is non-taxable and the age of claimant does not affect the amounts received provided they are below State Pension age.

What information will my constituent need to provide?

According to the [NI Direct website](#) the following information will be required:

- Their contact details, date of birth, National Insurance number;
- Their spouse or civil partner's details (date of birth, National Insurance number, employment, pensions);
- Their children's details (name, date of birth, where they live, benefits);
- Other benefits they are receiving;
- Their account details.

Further detailed information on Bereavement Support Payment is available from the NI Direct website [here](#).

To claim Bereavement Support Payment, constituents can phone the [Bereavement Service](#) or download an [application form](#). Contact details for British Sign Language or Irish Sign Language users are available to download [here](#).

Funeral Expenses Payment

[Funeral Expenses Payment](#) is available to those on low income needing help to pay for a funeral. This payment is made from the Social Fund. Please note that a constituent may have to repay some or all of the Funeral Expenses Payment from the deceased person's estate.

The amount given depends on the circumstances of the claimant. The payment can help pay for:

- Burial fees and rights to burial in a particular plot;
- Cremation fees, including the cost of the doctor's certificate;
- Up to £1000 for funeral expenses for fees or items such as funeral director's fees, flowers, coffin;
- Travel to arrange or go to the funeral;
- The costs of moving the body within the UK – but only for the part of the journey which is over 50 miles;

- Obtaining a medical reference, report or documentation required in connection with the disposal of the body whether it be by burial, cremation or otherwise;
- The cost of documents needed to release the money, savings and property of the person who died.

If a funeral was covered under a pre-paid funeral any payment received can only be used for items not covered by the plan.

The Department for Communities will determine how much help is available to applicants, taking into consideration how much money, other than personal savings, is available to help with funeral costs. Consideration will also be given of any monies from the estate of the deceased and any payments made from insurance policies.

Consideration of payment does not include money from arrears of benefits, Bereavement Support Payment or contributions received from charities, friends or relatives towards the cost of the funeral.

A full list of what can be included is in the Funeral Expenses claim form.

- [Funeral Expenses Payment application form \(SF200 adult\)](#)
- [Funeral Expenses Payment guidance notes \(adult\)](#)
- [Funeral Expenses Payment application form \(SF200 child\)](#)
- [Funeral Expenses Payment guidance notes \(child\)](#)

To receive a Funeral Expenses Payment a constituent must be responsible for the funeral and:

- Get certain benefits or tax credits;
- Meet the rules on their relationship with the deceased;
- Claim in time;
- Meet the rules on where the funeral takes place.

Benefits and tax credits

They may be eligible if they or their partner receives any of the following benefits or tax credits:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Pension Credit
- Housing Benefit
- Working Tax Credit (which includes a disability or severe disability element)
- Child Tax Credit
- Universal Credit

Relationship with the deceased

To claim Funeral Expenses Payment the constituent must be one of the following:

- The partner of the deceased when they die;
- A close relative or close friend of the deceased;
- The parent of a baby stillborn after 24 weeks of pregnancy;
- The parent of the deceased child if they were under 16 (or under 20 and in full-time education).

The term 'partner' is defined here to mean:

- A person the constituent is married to or a person the constituent lives with as if married to them;
- A civil partner or person the constituent lives with as if they are civil partners.

Applications for Funeral Expenses Payment must be made within six months of a funeral. The date a claim form is received in a Department of Communities office is the date payment will be considered from, not the date the form was downloaded or received by the claimant.

What information will my constituent need?

According to the NI Direct website, the following information will be required to make a claim for Funeral Expenses Payment:

- Information on the constituent, their partner and the deceased (address, date of birth, National Insurance number and surviving partner);
- Benefits they, their partner and surviving relatives are receiving;
- Responsibility for the funeral (including payment);
- The Funeral Director and bill;
- The estate (including probate solicitor details);
- Money to pay for the funeral;
- Constituent's account details.

Widowed Parent's Allowance

[Widowed Parent's Allowance](#) is being replaced by Bereavement Support Payment.

A constituent can only make a claim for Widowed Parent's Allowance if their husband, wife or civil partner died before 6 April 2017 and the cause of death has just been confirmed.

The following must also apply:

- They are under State Pension Age;
- They are entitled to Child Benefit for at least one child and their late husband/wife/civil partner was their parent;
- Their late husband/wife/civil partner paid National Insurance contributions, or they died as a result of an industrial accident or disease.

A constituent may also claim Widowed Parent's Allowance if they were pregnant when their husband died, or were pregnant after fertility treatment when their civil partner or wife died.

They cannot claim Widowed Parent's Allowance if they:

- Were divorced from their husband, wife or civil partner when they died;
- Remarry or are living with another person as if they're married to them or as if they've formed a civil partnership;
- Were over State Pension age when they were widowed or became a surviving civil partner – they may be able to get [extra State Pension](#);
- Are in prison.

The amount of allowance paid is dependent on the National Insurance contributions made by the late husband/wife/ civil partner. The maximum payment is **£122.55 a week**.

They will continue to receive Widowed Parent's Allowance until they either:

- Stop being entitled to Child Benefit; or

- Reach State Pension age.

Widowed Parent's Allowance is usually [paid into a bank, building society or credit union account](#).

Effect on other benefits

Other benefit payments a constituent may receive may change when they start claiming Widowed Parent's Allowance. They must therefore report it if they are in receipt of any of the following:

- [Income Support](#)
- [Incapacity Benefit](#)
- [Jobseeker's Allowance](#)
- [Carer's Allowance](#)
- [Employment and Support Allowance](#)
- [Universal Credit](#)

Please note that if the constituent does not report changes straight away, they could be paid the wrong amount and have to pay it back. They might also have to pay a fine.

Existing legal challenge which may impact on future eligibility for financial support in relation to Northern Ireland

Supreme Court ruling on Siobhan McLaughlin and eligibility for Widowed Parent's Allowance.

Siobhan McLaughlin had lived with her partner, John Adams, for 23 years until his death on 28 January 2014. They had four children. Ms McLaughlin's claim for Widowed Parent's Allowance was refused by the Northern Ireland Department of Communities because they were not married. She applied for judicial review of the decision on the grounds that the exclusion of those who were not married to, or a civil partner of, the deceased was incompatible with the European Convention on Human Rights (ECHR).

In its judgment of 30 August 2018 ([\[2018\] UKSC 48](#)), the Supreme Court ruled by a majority of four to one that the refusal to pay Widowed Parent's Allowance to Siobhan McLaughlin was incompatible with Article 14 of the European Convention on Human Rights together with the right to respect for family life under Article 8.

The Supreme Court made a 'declaration of incompatibility' – it is now for the Government and Parliament to decide whether and how legislation should be changed, in light of the Court's judgment.

In response, the UK Government had stated that it intends to remove the incompatibilities from the legislation governing Widowed Parent's Allowance and Bereavement Support Payment by extending these benefits to cohabitants with children.

On 15 July 2021 the Department for Work and Pensions Minister, Baroness Stedman Scott, announced that Widowed Parents Allowance and Bereavement Support Payments will be extended to surviving cohabiting partners with children who were living with their partners at the time of death. Further details are [available here](#). A copy of the draft Bereavement Benefits (Remedial) Order 2021 is available [here](#) and draft Explanatory Memorandum [here](#).

Given the arrangements in parity in social security arrangements between Great Britain and Northern Ireland, constituency workers should keep a watching brief on updates on this issue from the Department for Communities.

Further assistance

The following organisations may be able to provide additional advice in relation to bereavement support payments:

- [Advice NI](#)
- [Cruse Bereavement Care](#)
- [Law Centre NI](#) (provides advice to advisers/constituency staff)
- [Marie Curie](#)

4 Dealing with debt when a loved one dies

Debts left following a death are paid out of the individual's 'estate' (the money and property they leave behind). A debt is only transferrable if it is part of a joint loan agreement or a loan guarantee has been provided.

A person's estate consists of their cash (including insurance) and investments, property and possessions.

If the estate is worth above a certain amount, the executor/administrator will need special permission – called 'probate' or 'letters of administration' – to be able to deal with the person's affairs. This includes the settling of any outstanding debts.

The NI Direct website provides further information on [applying for probate](#).

If there are insufficient funds to pay outstanding debts, the estate has to pay off debts in a set order before anything is given to people named in the will or until the money runs out.

The NI Direct website provides information on [dealing with a deceased person's money and property](#).

Debt for homeowners

According to the [NI Direct website](#), there are several scenarios where debt can arise in terms of home ownership/tenancy:

- Debts if a home was owned together;
- Tenants in common;
- Joint tenants.

Debt if you owned a home together – if a constituent jointly owned their home and there is not enough money elsewhere in the estate to pay off the deceased person's

debts, there is a chance that their home would have to be sold. Their options to avoid a sale depend on whether they owned it as 'tenants in common' or 'joint tenants'.

Tenants in common – If they were 'tenants in common', each of them owned a stated share of the property. The share belonging to the person who has died becomes part of their estate and goes to whoever is mentioned in their will. But, if there are outstanding debts these must be paid first from that share.

To avoid a sale of the home, the constituent and/or anyone due to inherit the second share will need to negotiate with those owed money ('creditors') and find the necessary money.

Joint tenants – If they were 'joint tenants', they owned the whole property together and the deceased person's share passes automatically to them.

However, even though it is now in their estate, they cannot ignore the debts. Creditors can apply for an 'Insolvency Administration Order' within five years of the death.

This can have the effect of dividing the property in two and can force a sale. Therefore, it is in their interest to try to come to an agreement with people owed money and try to pay them.

Information as to whether they own the property as 'tenants in common' or 'joint tenants' may be shown in the Transfer or Lease by which they acquired the property, or in a Trust Deed or Will.

The land register may also provide a clue, but Land Registry cannot advise a constituent on which kind of ownership they have chosen.

Further help and advice

The following organisations may be able to provide further help and support:

- [Step Change Debt Charity](#)
- [Advice NI](#)
- [Housing Rights](#) (eg for advice on tenancy succession rights)

5 Arranging a funeral

The information in this section is extracted from the [NI Direct website](#).

Bear in mind that a constituent cannot confirm the date for the funeral until after the death has been registered. If the death has to be reported to the coroner, the date when the funeral can be held will be affected.

Find out more [about registering a death](#).

Funeral directors can help during what is generally a stressful time, and should see that the remains of the deceased are dealt with in a dignified way.

Friends, family, clergy or their doctor may be able to recommend local funeral directors. Most funeral directors are members of one of two trade associations:

- [National Association of Funeral Directors \(NAFD\)](#)
- [Society of Allied and Independent Funeral Directors \(SAIF\)](#)

Member firms must provide the constituent with a price list and cannot exceed any written estimate they give them without their permission.

If a constituent is unhappy with the service provided, or the prices they are asked to pay, they may wish to consider contacting [Consumerline](#) or [Advice NI](#) for advice. If the funeral director is a member of NAFD or SAIF, the constituent can also use their conciliation services.

A person can arrange a funeral without the help of a funeral director. If they wish to do this, they can contact the Cemeteries and Crematorium Department of the local council for advice and guidance. See a list of [local councils in Northern Ireland](#).

Constituents can also get help and information from [The Natural Death Centre](#).

If a constituent arranges a funeral, they will be responsible for paying the bill.

Most funeral directors require payment before probate (the official proof that a will is valid) is granted. So, it is worth considering how a funeral will be paid for, whether that amount of money will be readily available and the various ways the costs can be covered.

Funeral costs can be paid in different ways, including:

- With money from the deceased's estate;
- By any funeral scheme the deceased was paying into, or their pre-paid funeral plan – the paperwork would need to be checked to see if a plan exists;
- With any pay-out from a life insurance policy or pension scheme.

The bank account of the person who has died will be frozen (unless it is a joint account). In some cases, the bank or building society may agree to release funds to pay for funeral costs, although they are not obliged to do this until probate is granted. If

funds are not released, the constituent or the executor may need to pay and then recover the money from the estate later.

If a constituent is on a low income and need help to pay for a funeral, they [may be able to get a Funeral Expenses Payment](#) from the Social Fund (see Section 3, above, for further details of this). They might have to repay some or all of it from the estate of the person who died.

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. The local council may also make a claim on the deceased's estate to pay for the funeral.

6 When a loved one dies abroad

The information in this section is extracted from the [NI Direct](#) website.

If a death occurs outside Northern Ireland, it will be necessary to get authorisation for the body to be removed and brought back to Northern Ireland from the country where the death occurred. The British or Irish Embassy or Consulate will be able to provide advice on this.

A Northern Ireland Coroner has no authority to investigate a death that happens abroad.

If a death has happened on a ship, the Coroner in the place the body comes ashore must send certain details of the death to the Registrar General of Shipping and Seamen.

The constituent will need to register the death according to local regulations and get a Death Certificate. The local police, British Consul or tour guide can advise them on how to do this. They can also often register the death at the British Consulate as well. They do not have to do this, but they can buy a UK-style death certificate, and the record will be sent to the General Register Office within 12 months. They will also be able to get a copy of the Death Certificate later from the General Register Office or from the British Consul in the country concerned.

If the person who died was a serving member of the British armed forces, their commanding officer can also request the registration.

When registering the death, a constituent should take information about themselves and the deceased including:

- Full name;
- Date of birth;
- Passport number;
- Where and when the passport was issued; and

- Details of the next of kin, if they're not their closest relative

If they wish to bring the body back to the UK, British Consular staff will help by putting them in touch with an international funeral director.

The body will need to be embalmed and placed in a zinc-lined coffin before it can be removed from the country. It may take some time to bring the body home, especially if a post-mortem examination is held.

Before the body can be brought home, the constituent will need the following documents:

- A certified English translation of the foreign death certificate from the country in which the person died;
- Authorisation to remove the deceased's body from the country;
- A certificate of embalming.

The British Consul can help them to get these documents. Advice on translation services can also be sought from relevant British Consulates.

Please use this link to [contact a British Consul overseas](#).

7 Employment rights

The [Labour Relations Agency](#) (LRA) states that 'there is no set amount of bereavement leave laid down by law'.

The LRA highlights that employers can set their own limits but this should be done with sensitivity based on the individual circumstances and the employee's relationship to the deceased. As a general rule the closer the relation, the longer the bereavement leave; an aunt, uncle or cousin etc. could be the nearest or closest relative and individual circumstances should always be explored and taken into account.

Under 'time off for dependants', the employee has a statutory right to reasonable time off without pay to deal with the death of a dependant¹.

The agency has compiled a '[Managing bereavement in the workplace](#)' in conjunction with Cruse Bereavement Care in order to help employers. However, this is for guidance only and should not be regarded as an authoritative statement of the law.

NI Business Info highlights the need for employers to take into account religious beliefs as the [Fair Employment and Treatment \(Northern Ireland\) Order 1998](#), as amended, protects employees from discrimination because of their religion or belief. This is particularly relevant in instances of bereavement due to certain religious practices

¹ [Labour Relations Agency: Bereavement Leave](#).

during bereavement, which may be applicable. Employers should try to accommodate religious beliefs and customs where reasonable and practicable to do so.

Likewise, for some employees, the effects of loss and grief can amount to a disability (eg depression) where the effects are long term (generally defined as lasting or likely to last over a year) and the impact affects the employee's ability to undertake day-to-day activities.

An employee with a disability has the right to reasonable adjustments and employers should take reasonable actions to reduce or remove the effect of the impairment on the employee at work².

8 Parental bereavement

The [Parental Bereavement \(Leave and Pay\) Bill](#) has now gone through its Final Stage in the Assembly and is awaiting Royal Assent. When enacted, working parents will be entitled to statutory paid leave following the death of a child or stillbirth. Following a full public consultation, the Department for the Economy will also draw up detailed miscarriage leave and pay regulations. Further information on the Bill is available [here](#) and [here](#).

9 Support for child funeral costs

There is a [Children's Funeral Fund for England](#), which helps pay for burial fees, cremation fees etc.

The Department for Communities has stated that it had been working on the development of a scheme similar to that in England as part of the New Decade New Approach agreement. This was confirmed in an answer from the Minister for Communities to Mrs Diane Dodds MLA on 2 December 2021:

² [NI Business Info: Managing Bereavement Law and Discrimination](#)

To ask the Minister for Communities for an update on the establishment of a child funeral fund as per New Decade, New Approach.

“I can confirm that Department officials continue to work on the development of a Child Fund. In the Budget Exercise 2022-25 the Department submitted a bid for Executive approval to implement the fund from 2022-23.

As an interim measure, local councils have agreed to voluntarily waive certain fees in the case of a burial or cremation of a child under 18, to ease the financial burden on parents and this continues to be the case.”

10 Coroners and Inquests

The information in this section is extracted from the [NI Direct](#) website.

Coroners are independent judicial officers available to deal with matters relating to deaths that may require further investigation to establish a cause of death.

Coroners in Northern Ireland can be either barristers or solicitors and are appointed by the Lord Chancellor.

A death is reported to the Coroner in the following situations:

- A doctor did not treat the person during their last illness;
- A doctor did not see or treat them in the 28 days before they died;
- The cause of death was sudden, violent or unnatural such as an accident, or suicide;
- The cause of death was murder;
- The cause of death was an industrial disease of the lungs such as asbestosis; or
- The death occurred in other circumstances that may require investigation.

A death in hospital should be reported to the Coroner if:

- There is a question of negligence or misadventure about the treatment of the person who died;
- They died before a provisional diagnosis was made and the general practitioner is not willing to certify the cause;
- The patient died as the result of the administration of an anaesthetic.

A death should be reported to the Coroner by the police, when:

- A dead body is found;

- A death is unexpected or unexplained;
- A death occurs in suspicious circumstances.

A death should be reported by the governor of a prison, immediately following the death of a prisoner.

The Coroner will seek to establish the cause of death and make enquiries to do this that may include ordering a post-mortem examination, obtaining witness statements and medical record, or holding an inquest.

In most cases, a GP or hospital doctor can certify the medical cause of death and the Registrar of Births, Deaths and Marriages can register the death in the usual way.

11 Bereavement: emotional and practical support

The following charities and support groups have produced a range of advice guides and resources detailing their and other sources of support for the bereaved:

- [Cruse Bereavement Care](#)
- [Lifeline](#)
- [Marie Curie](#)
- [Marie Curie – Benefits and finances](#)
- [Marie Curie – When Someone Dies](#)
- [Miscarriage Association – information section](#)
- [Samaritans](#)
- [SANDS Helpline](#)
- [SANDS Bereavement Support Book](#)
- [Still Standing – baby loss support for dads](#)
- [The Compassionate Friends – supporting bereaved parents and their families](#)
- [Family Support NI – Bereavement Support \(list of available services and groups\)](#)

12 Bereavement support for children and young people

The following charities and organisations have produced guides and resources for children and young people going through a bereavement:

- [Barnardo's Northern Ireland](#)
- [Cruse Bereavement Care](#)
- [Child Bereavement UK](#)

- [The Compassionate Friend – Sibling grief guide for young adults](#)

13 Bereavement support and COVID-19

Cruse Bereavement Care have created a number of useful guides and resources in relation to bereavement support during the COVID-19 pandemic:

- [Coronavirus: grieving and isolation](#)
- [Coronavirus: coping with changing restrictions](#)
- [Coronavirus: grief and trauma](#)
- [Coronavirus: children and young people](#)
- [Coronavirus: coping as a front line responder](#)

This information is provided to MLAs in support of their Assembly duties and is not intended to address the specific circumstances of any particular individual or organisation. Whilst we strive to ensure that the information provided here is up to date, the information provided by external websites referred to may change frequently. This guide should not be relied upon as providing legal or professional advice, nor as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

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