

FACT SHEET

What To Do When a Loved One Dies

KEY CONTACT



Sarah Lockyer

Partner

t: 01279 712528

e: slockyer@nockolds.co.uk

There are many things which you may be thinking about when a loved one dies. The first thing to do is to register the death.

You have five days from the date of death to register. You can find the nearest register office to the deceased on the [GOV.UK website](https://www.gov.uk).

When you go to register, you will need to take some information with you such as the following, which will help identify the deceased and will be used for the death certificate:

- » NHS medical card/number;
- » Proof of the deceased's address;
- » Birth certificate of the deceased;
- » Marriage or civil partnership certificate (if applicable);
- » Driving licence (if applicable).

Property

If the deceased had a property, it is essential that you ensure that the property is secure and that any valuable possessions are removed.

If the deceased was living alone, it is important that the house insurers are notified of the death. The policy should record that the property is now unoccupied to avoid any issues with claims that may arise during the administration.

Keep a record of the conversations you have had with the insurers and request that confirmation of the change be sent to you.

Tell Us Once Service

When you register the death, the registrar will provide you with information and a unique reference number to enable you to complete the Tell Us Once service. This service allows you to notify all the government bodies such as DWP, DVLA and HMRC of the death in one go.

It is advised that this is completed as soon as possible after registering to prevent overpayments being made to the deceased account. There is also a time limit of 84 days from receipt of the unique reference to use this service.

Paying for the Funeral

Once you have received the burial or cremation certificate from the registrar (also referred to as the Green Form), you can arrange the funeral.

Check whether the deceased had a Will and where the original is located. It is common for people to confirm in their Will any funeral wishes which they may have or special requests and so it is worth having a look to see before making arrangements for the funeral.

When it comes to paying for the funeral you should establish whether any pre-paid funeral plan has been arranged. It is common that these will be referred to in the Will or mentioned in a letter of wishes kept along with the Will.

If there is no pre-paid plan, then you can arrange the funeral and take the funeral bill into the deceased bank or building society and provided that there are sufficient funds in the account, they will pay the funeral bill direct from the deceased's account(s) without the need for a grant of probate.

The Will

Is there a Will? Check around the deceased's home and papers to locate the Will. If they have used a solicitor to draft this, there is likely to be a copy within the deceased's home and the original stored at the solicitor's.

Alternatively, some people store their Wills at their bank or building society so it is worth confirming with them if they hold this. If you cannot find the original or copy, then you can contact any local solicitors to the deceased and they will be able to help you with searches that can be carried out to locate the Will.

If there is a Will, the executors named are the ones who have a right to see the Will and are the people responsible for dealing with the administration of the estate. Those people, or person, are the ones who can instruct the solicitors to act on their behalf and prepare the paperwork for a grant of probate (if necessary).

If you find the Will but are not named as the executor, then you must inform the executors.

A Grant of Probate is a document which gives you the legal authority to administer the estate. In some circumstances, a Grant of Probate will not be needed however this is dependent upon the assets which the deceased held at the date of their death.

If there is no Will, then the intestacy rules will apply. If you are a close relative of the deceased (such a spouse, child, parent, or sibling), we would recommend booking an appointment with us for some advice on how you should proceed.

Lasting Powers of Attorney (LPA)

Are you named as an attorney for the deceased on an LPA?

LPAs are lifetime documents and once the donor dies, the document comes to an end and so does your role as an attorney.

This fact sheet has been provided for information purposes only and should not be construed as legal advice. Whilst every effort has been made to ensure that the information in this fact sheet is correct (as at January 2020), it is intended as a guide only and should not be relied upon. Specialist legal advice should be sought so that all the factors specific to your circumstances can be taken into account.