

A client's guide on what to do when someone dies

This short guide aims to give some practical information on what to do when someone passes away. This is a difficult and often stressful time for family members but we hope this short guide will help you make the necessary arrangements. Please remember that here at Russell-Cooke we are happy to help and are pleased to answer any questions you may have.

1. Registering the death

The death must be registered within five days with the Registrar of Births, Marriages and Deaths. This is something that we can do on your behalf if you would like us to. Alternatively, a family member will need to visit the Register Office for the district where the death took place. If you register the death in another district then delays may occur in issuing the death certificate. You will need to take with you the medical certificate of the cause of death that is issued by the doctor. If you have them it is useful to take the deceased's medical card or NHS number, their birth certificate and any marriage or civil partnership certificate.

You will also need to provide the Registrar with certain pieces of information:

- The person's full name and surname
- If applicable, any maiden name
- The person's date and place of birth
- Their last address
- Their most recent occupation
- The full name, date of birth and occupation of a surviving spouse or civil partner
- Whether the person was receiving a state pension or any other benefits

The Registrar will then give you a certificate for burial or cremation (known as a 'Green Form') that allows you to make the necessary arrangements for burial or cremation. You will also receive a certificate of the registration of death (a form BD8). If the deceased was receiving state benefits this form should be completed and returned.

At this time it is useful to obtain certified copies of the death certificate. You will need these forms to register the death with a variety of companies such as banks, building societies and insurance companies and for the administration of the deceased's estate (see below). A charge is made for these certified copies but this is at a reduced rate at the time of registration. If you need more copies later on you can obtain these from the Registrar.

You should note that if the death has been referred to the Coroner then the death cannot be registered and a funeral cannot be arranged until the Coroner gives permission. The Coroner's Office will be able to advise you further if this is the case.

2. Arranging the Funeral

Once the death has been registered you can proceed to arranging the funeral. The deceased may have given information about whether they wish to be buried or cremated in their Will, if they left one. They may also have left a Letter of Wishes with a Will giving further information about the type of funeral they wanted (see Collecting Paperwork and Securing Property below for more information on where these might be). The deceased may have purchased a burial plot in advance or have a place reserved for them in a family plot.

If the deceased has not left any clear wishes then it is for the executor of the will or the closest relative of the deceased to decide about the funeral arrangements. Decisions will need to be made regarding such issues as the time and place of the funeral, where the body will rest in advance of the funeral, who will conduct the service, who will be invited and whether donations of flowers will be accepted or donations to charity are preferred.

Most people decide to use a funeral director who can make all the necessary arrangements for you. You can find a local company in your local directory or by word of mouth or Russell-Cooke can also recommend funeral directors if necessary. It is also possible to arrange a funeral yourself. If you wish to arrange a funeral at a local crematorium or cemetery you should contact the local authority who will be able to advise you further. Advice can also be obtained from the Natural Death Centre at www.naturaldeath.org.uk or on 01962 712690.

3. Paying for the Funeral

The person who arranges the funeral will be liable for the costs. However, this can be reclaimed from the estate if funds become available. You should check whether the deceased had paid into a funeral plan or life insurance policy that provides for a lump sum towards funeral costs.

A funeral can cost several thousand pounds and you should consult with your funeral directors regarding the costs of the various options. The cost of the funeral can be paid from the deceased's bank account. We can arrange for this to be done for you. This can take up to two weeks to arrange however, and some funeral directors require at least the deposit to be paid in advance.

In some circumstances you may be able to get help with funeral costs from the Social Fund if you are on a low income. You or your partner must be receiving a means-tested benefit such as Income Support, Income-based Jobseeker's Allowance, Pension Credit, Housing Benefit or Council Tax Benefit. To apply you will need to obtain a form SF200 from your local JobCentre Plus office. You should note that any funeral payment made will have to be paid back from the deceased's estate at a later date.

4. Is there a Will?

It is important to establish soon after the death whether the deceased left a will. This is because the will appoints the executors who are the people with the authority to make the arrangements. They may also have given instructions on their funeral (as above). It will also set out how deceased's estate (their money, property and possessions) is to be disposed of. If there is a will the deceased may have kept a copy in their home. The original document still needs to be found. This could be held by the deceased's solicitor, their bank, in a Will safe facility or at the Principal Probate Registry. The deceased may also have passed it to a friend or relative to look after.

If there is a will then it will appoint one or more executors, who are the people responsible for dealing with the deceased's estate. If there is no will, or if there is a will which does not name executors, or if the named executors do not wish to act as such then the court will instead appoint an administrator for the estate. The term "personal representatives" (PRs) covers both executors and administrators; the maximum who can be appointed in an estate is four. You can find out more about being a personal representative in our publication [A Client's Guide to Probate](#).

5. Collecting paperwork

In order to administer someone's estate it is important to retain all significant paperwork. We can advise more fully on this but suggest that you locate where such documents were kept and make sure that they are kept safely.

6. Securing Property

As a Personal Representative, it is your obligation to safeguard assets in the estate and, as the property will often be a substantial part of the value of the estate, the matters listed below should be considered very carefully.

Insurance

It is important that you notify the insurance company that you are the executor of the estate and you check that the property is insured for its full reinstatement value.

If there is no policy in existence or if this cannot be located, we would strongly advise that you arrange emergency cover immediately in your name as personal representative for the full reinstatement value. You must also notify the insurance company whether the property is occupied or empty and they will then advise you as to any restrictions or conditions that will now apply to the cover.

Alternatively, if you prefer, you can advise us and we will be happy to organise the insurance on your behalf.

You should also ensure that the contents of the property are adequately insured and you advise the insurance company when you clear the property of all furniture and effects.

Burst Pipes

You should check the insurance policy carefully because they will normally apply various conditions to properties during the winter months, for example the insurance company may require that the water system is drained down between October and April. This will avoid any burst pipes.

If you would like us to organise this on your behalf, please advise us and we will arrange for a plumber to attend the property. We would also be grateful if you would provide us with a key.

Services

We would recommend that you contact the gas, electric, water, telephone and council tax to advise them that you are the personal representative of the estate and for final accounts to be rendered. You may consider it preferable to leave some utilities connected if the property is to be sold. For example, electricity, so that prospective buyers can be shown around the property.

It would also be sensible to take meter readings as soon as possible and provide these to the utility companies.

If you are unable to do this for any reason, please advise us and we would be happy to attend the property on your behalf and we can also write to the utility companies and request the final accounts are sent to us for settlement from the estate funds.

Valuation

The value of the property must be declared for probate purposes and great care must be taken to ensure that the correct value is entered as this will often affect the amount of the Inheritance Tax to pay. If there is no Inheritance Tax payable on the estate, it may be

possible to ascertain the value by reference to the sale prices of other local similar properties recently sold and speaking to local estate agents.

However, if there is any possibility that Inheritance Tax is due on the estate, then we would advise that professional market valuations be obtained. You will often find that if you go to estate agents they will carry out a market valuation free of charge. If you would like us to contact estate agents for you then we would be happy to do so.

It is sensible to have a proper market valuation for the property in case it is disputed later by the District Valuers Office. A valuation which is not a true market valuation is likely to give rise to problems and increase liability to Inheritance Tax or even Capital Gains Tax at a later stage.

Security

Please ensure that the property is secure against potential burglars and squatters as well as the elements. A property that is left empty for any length of time can obviously deteriorate quickly and therefore it is important that steps are taken to minimise this.

Council Tax

The liability to council tax will need to be settled to the date of death and further payments or a claim for refund may be made as appropriate. There is generally no further liability from six months of the date of the Grant of Probate when the council tax charge will be reinstated. However, different local authorities may have different rules in this respect. We can contact the local authority on your behalf if you would like us to.

Mortgages

It is vital to determine the amount due on the mortgage at the date of death and the mortgagee should be asked to confirm whether there is, for example, any life or endowment policy to cover the outstanding balance and whether the policy has actually been assigned to the mortgagee for that purpose. We can, of course, check this on your behalf.

Otherwise, subject to any contrary provision in the Will, the policy proceeds may simply be payable to the estate and will not necessarily be applied to discharge a mortgage. This can have very significant consequences, especially if the property has been specifically bequeathed.

The mortgagee should also be asked to confirm whether they are maintaining any insurance cover on the property and, if so, they should confirm for example the level of cover. Again, we are happy to help you with these matters and, subject to your instructions, take whatever steps are necessary.

7. Notifying the relevant authorities and organisations

As well as telling friends and relatives of the death there are a large number of people who need to be informed following a death. This can involve a considerable amount of correspondence and is something that we can deal with on your behalf. Such people and organisations may include:

- Employer, School or College
- GP
- Government agencies (Tax Office, Identity and Passport Service, DVLA)
- Office of the Public Guardian (if the deceased had a Lasting Power of Attorney or Enduring Power of Attorney)
- Social Services (if the deceased was receiving help from the local authority)
- Financial Organisations such as:

- Banks and Building Societies
 - Insurance companies
 - Credit Card companies / Store Card companies
 - Pension providers
 - Mortgage provider
 - Hire Purchase or Loan companies
 - Accountant
- Household related contacts such as:
 - Landlord, Housing Association or Local Authority Housing Office
 - Utility companies (if the bills are in the deceased's name)
 - Television and internet providers
 - Royal Mail (if you wish the post to be redirected)
- Place of Worship

Russell-Cooke are happy to help in any way we can at this difficult time. Please feel free to contact us if you have any queries.

For more information please contact:

Rita Bhargava

Partner

+44 (0)20 8394 6224

Rita.Bhargava@russell-cooke.co.uk

Vickie Kilby

Partner

+44 (0)20 8394 6218

Vickie.Kilby@russell-cooke.co.uk

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