



## **Help and guidance on the immediate steps following a death**

*This document provides general guidance on the immediate steps following a death and introduces the probate procedure for non-professional personal representatives and bereaved family members. See also the Probate—client guide.*

*Your probate practitioner will be able to provide tailored advice based on your specific circumstances.*

Dealing with the death of a loved one can involve many challenges, both emotional and practical. If you are also a personal representative (PR) officially dealing with the estate (the property and possessions of the person who has died) as either an executor or an administrator, you may find yourself in an alien situation with unusual and confusing terminology. In the days following a death, there are a number of practicalities which may arise.

This note aims to assist you in working out what needs to be dealt with immediately and what can be left for subsequent weeks.

### **Taking time off work**

While there is no statutory right to bereavement leave, if a dependant dies you can take unpaid leave to arrange and attend the funeral. You must notify your employer as soon as possible and the time you take must be 'reasonable'. Some employers will allow as paid or unpaid leave a set amount of time off for a bereavement, including attending the funeral. Check your contract or office manual/handbook or ask your manager or HR department.

Where children will be taking time off school, the school should be informed in accordance with its authorised absence policy.

## **Registering the death**

Generally the registration is dealt with by a relative or someone who was present at the death. If you are a PR who is going to arrange the funeral but you are not a family member, you can also register the death. Unless there is special consent from the coroner, you must register within five days of the death. The hospital where the deceased person died or otherwise the coroner will usually give some guidance about registering the death when they provide the medical certificate of cause of death. Otherwise, the address and appointment system for the register office in the sub-district where the death occurred can be found online at the Gov.uk website: [Register a death](#).

Take along the medical certificate of cause of death (from the doctor or coroner), as well as any of the following that you have available:

- the deceased person's birth certificate
- any marriage/civil partnership certificate(s)
- the deceased person's passport and driving licence
- proof of deceased person's address
- the deceased person's pension or state benefit book (including their NI number)
- proof of ID for yourself

You will also need to provide any other names that the deceased person was known by, their occupation and the occupation of their widow(er).

Once the registration is complete, in addition to the death certificate you will also be provided with a green form (which then needs to be passed on to the funeral director) and a registration form relating to state pension or benefits. You should ask for several certified copies of the death certificate as certified copies are the only copies accepted by banks and other financial institutions as proof of the death. Keep the receipt as this money can eventually be reclaimed from the estate.

The Tell Us Once service is offered by many local authorities in the UK and allows PRs to inform central and local government services of the person's death in one go. This is a free service and can save a lot of time and effort. The registrar will indicate if the Tell Us Once service is available in your area when you register the death.

## **Locating the Will (if any)**

If no one knows if the deceased person had a Will or where it is located, you should check their personal effects for a copy of the Will which should help identify where the original is held or, indeed, the original may be found. An original Will is often lodged with a solicitor or bank, so they should be approached. Only the executors appointed in the Will should know the contents of the Will at this stage as it is confidential, at least until probate has been granted. If you find the Will, you are able to check it only to establish the identity of the executors and any funeral wishes, including

any organ donation wishes. If the Will is lodged with a solicitor or bank they are able to tell you who the executors are and any directions for the funeral and organ donation (if noted).

If there is no Will the people entitled to administer the estate as PRs are established under legal rules—known as the intestacy rules—and officially appointed in the grant of letters of administration. Your probate practitioner will help you establish the next steps if there is no Will and explain how the intestacy rules apply.

### **Arranging the funeral**

Generally the deceased person's next of kin will arrange the funeral, but it may fall to the PRs (if not the same person) to make the arrangements. Before proceeding, make sure you are aware of any wishes made known by the deceased person as to organ donation, burial or cremation wishes, type of funeral and memorial etc. Also check the wishes of (other) immediate family members if appropriate. There is no statutory obligation to follow the deceased person's wishes but if there is disagreement between family members the PRs will need to decide, and the deceased person's wishes should be given due weight.

A list of funeral directors can be provided by the National Association of Funeral Directors (NAFD) or the National Society of Allied and Independent Funeral Directors (SAIF). Whatever funeral is decided on, it is sensible to confirm what the costs will cover and whether the cremation certificate, crematorium charges, church fees and any memorials are included. The person arranging the funeral will be responsible for the cost in the first instance so check to see if the deceased person set up a funeral plan (either independently or through their place of worship, if applicable) or if there is a life insurance policy or a lump sum payment due from a pension scheme. It is also possible to use monies from the deceased person's bank or building society account(s) and if this is required, discuss this with the funeral directors directly. Otherwise the receipt can be submitted as a debt to be paid from the deceased person's estate once the grant of representation has been issued.

### **Informing family and friends**

Check the deceased person's address book, phone and e-mail account to make sure everyone who needs to be is informed about the death and the funeral arrangements. The deceased person's immediate family may wish to place a notice of death in the announcements section of local or national newspapers and this can be done online or by telephone. Such notices are different to the 'section 27 notices' which are placed to protect a PR's position before distributing the estate (described in the Probate — client guide).

However, beware of giving too much information in death notices to avoid drawing attention to an unoccupied property.

### **Securing the property and other assets**

If the deceased person lived alone, make sure that their property is secure as soon as possible and notify the insurance company about the death, checking whether the current insurance is sufficient and valid. Make a full note of the conversation and put this with the insurance certificate.

Any cash and small valuable items should not be left at the property unless locked away in a safe. The PRs should take such items into their possession to hold as part of the deceased person's estate.

Ensure that any pets are being cared for in the short term and, if you have access to the deceased person's Will, check if the deceased person expressed any wishes relating to their pets. Otherwise check to see if the animals are registered with the RSPCA Home for Life Scheme or if friends or family can help longer term. If no other arrangements have been made for the pets, they are the responsibility of the PRs. As a last resort, contact a local animal shelter about rehoming the animals.

Consider setting up postal redirection with Royal Mail (using the Special Circumstances application form) if the property will remain unoccupied.

### **Next steps**

In time, it is necessary to start dealing with the legal aspects of administering the deceased person's estate, which includes working out what assets they owned, any debts they owed and anything owed to them. Unless there are immediate financial concerns and/or property needs to be dealt with for commercial reasons, there should be no harm in waiting for a few weeks. However, note that interest starts to accrue on unpaid inheritance tax (IHT) from six months after the end of the month in which the person died and the filing deadline for the IHT account is six months later.

Please see the Probate — client guide for general guidance on the probate and estate administration procedure.