

What to do when someone dies

When a loved one dies it will no doubt be a very difficult and confusing time. This leaflet sets out some of the initial steps to deal with necessary arrangements and to ensure you get the support you need.

Help and support

There are lots of resources, charities and support groups available to help following the death of a loved one. There is a comprehensive list at: rwkgoodman.com/bereavement-resources

Leave and benefits

You may be entitled to certain benefits following the death of a loved one, such as a Bereavement Payment or a Bereavement Allowance. Your entitlement to existing benefits you receive may also be affected. You can contact your local Jobcentre Plus or the government website for advice on this.

At present there is no statutory obligation for an employer to offer paid leave following a bereavement, though many do. A Bill has recently been passed which will make this mandatory where someone experiences the death of a child up to the age of 18 but this is not yet law.

Dealing with probate

Applying for the legal right to deal with someone's property, money and possessions (their 'estate') when they die is known as applying for probate. The process varies depending on whether or not the person who died had a Will. Either way, you will require legal advice. A probate solicitor can assist in obtaining a Grant of Probate or Letters of Administration and advise on whether these are necessary. They can also provide support for registering a person's death, securing their property and tax implications.

Practical arrangements

1. Contact the GP or hospital about obtaining the Medical Certificate of Cause of Death. You may also need to contact the Coroner's Office in certain circumstances (see overleaf).
2. Notify the Registrar of the death and complete the appropriate forms. You can do this online, or at the appropriate Register Office, where you should call ahead to book an appointment.
3. Ensure arrangements are in place to check that the property is secure if it is now left unattended, and to look after any pets.
4. Contact a funeral director to arrange the funeral service. We recommend the approved directory of the National Association of Funeral Directors, www.NAFD.org.uk.
5. Let people know. Aside from telling family and friends, you should also inform:
 - their employer/school
 - GP and other health professionals (including cancelling any outstanding medical appointments)
 - care home/other agencies such as social services
 - banks & building societies (this is important so money can be frozen in accounts to protect against fraud)
 - mortgage provider/letting agency
 - buildings and property insurance
 - utility companies (gas, water, electricity, council tax)
 - TV/mobile phone/internet companies
 - Pension Service/Job Centre (to cancel any benefits)
 - Local government office/electoral register
 - HMRC Income Tax Office
 - Department for Work and Pensions (DWP)
 - DVLA & passport agency
 - private pension provider
 - Post office (to arrange re-direction if necessary)
 - any memberships e.g. gym, sports clubs
 - social media companies, to close any accounts
 - if the person who has died held a firearms licence, contact the local police station.

Tell Us Once is a service that lets you report a death to most government organisations in one go. Your Registrar will tell you if this is available in your area or you can check online.

The inquest process

In certain circumstances it is necessary for a coroner to carry out an investigation into the circumstances of an individual's death. This does not happen in all deaths, but only in specific circumstances such as if a cause of death is unknown, if the death was violent or unnatural or occurred during an operation. If you have any concerns about the circumstances of the death then you should report the death to your local coroner as soon as possible, or seek legal advice from a solicitor specialising in inquests.

If the coroner determines there needs to be an inquest, there is often a post-mortem where the body is examined and a pathologist will provide a report looking at the likely cause of death. An inquest hearing will then be arranged once all relevant records, witness statements and reports have been collated. There may also be a pre-inquest review hearing where the coroner will consider practical steps required before the inquest can take place.

An inquest can be a crucial investigation to ascertain the circumstances of someone's death but can be a daunting prospect, particularly whilst grieving for your loved one. We recommend seeking legal advice at an early stage if you are notified of an inquest, or if you feel there should be one. Sometimes it is important that particular steps are taken very quickly following the death and so we would urge you to speak to someone as soon as possible, as this can have a bearing on the evidence which is obtained about the circumstances of the death.

Legal advice

The death of a loved one can cause far-reaching consequences, especially when the death is unexpected, and can affect every area of your life. If you need legal advice you should contact a reputable firm so you can make an informed decision about your next steps.

If you have any questions for our specialist bereavement team, please get in touch. Our experienced lawyers can offer free initial advice and can guide you through this difficult time.

Making a claim following a death

Sadly sometimes when a loved one dies, it is as a result of someone else's negligence, for example in a road traffic collision, an accident at work, due to an industrial disease or through poor medical care.

A claim for compensation can be brought when a person has died as a result of negligence. Compensation may be awarded to reflect your loved one's pain and suffering prior to their death, as well as for any financial loss you suffer as a result such as a loss of their income, or if they provided care or financial support to any dependants e.g. children, or other family members.

A financial claim is unlikely to be your priority immediately after someone has died. However, the process also serves as a way of investigating the events leading up to the death and seeking answers to any questions you have. Generally, you can bring a personal injury or clinical negligence claim within three years from the date of death but this deadline is sometimes as short as one year in some cases so do get in touch with a solicitor as soon as possible if you have concerns about the circumstances of death or the quality of care provided to someone before their death.

This leaflet has been prepared by RWK Goodman, a law firm with a specialist team who can advise following the death of someone close to you.

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**More information is available
on our website at:**
rwkgoodman.com/bereaved