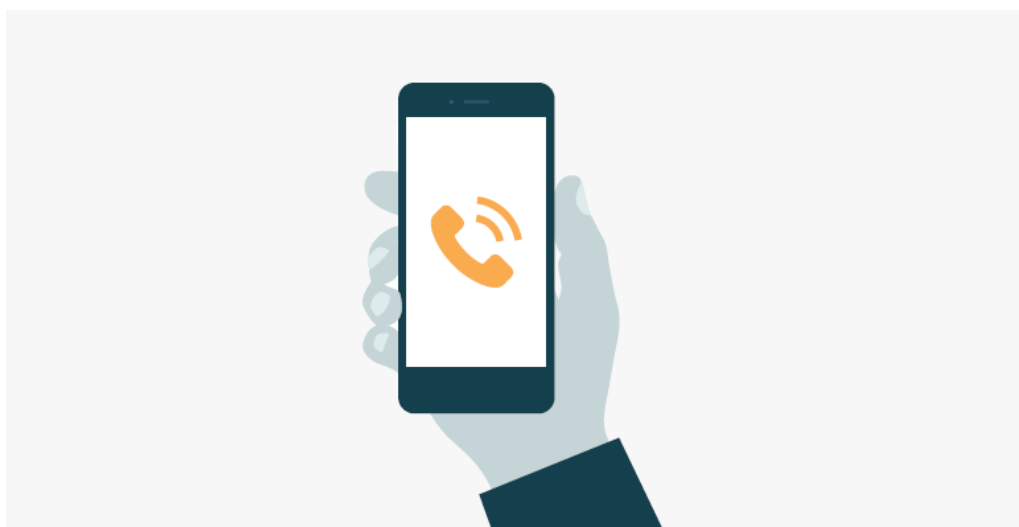


## What to do When Someone Dies

### What do you do when someone dies?

You will need to carry out a specific set of steps when someone you know dies. If you are a family member, close friend or carer you may be required to register the death and arrange a funeral. If you have been named as an executor in a Will, then you may have to handle the probate process.



### The first Steps – Who do I need to tell that someone has died?

If your loved one has passed away at home, you should telephone the deceased's general practitioner straight away. If the GP or district nurse is unavailable, then you should call for an ambulance. A doctor must confirm the death and sign the medical certificate of cause of death (also known as the death certificate) if the death was expected.

### What happens when someone dies suddenly?

In certain circumstances, such as in an unexpected or sudden death, or if the cause of death cannot be readily determined, a doctor, hospital or registrar will need to report the death to the coroner (or the procurator fiscal in Scotland). If the death is reported, then there will be no death certificate issued and the death will be registered once the coroner has made a decision about the nature of the death.

### What happens when someone dies in hospital?

If your loved one has died while in hospital, a medical certificate of cause of death will be provided by the hospital's bereavement office. Once a funeral has been arranged, the

funeral director will liaise with the hospital to make transport arrangements before the funeral. You will still need to register the death at a register office (see below).

### **What happens when someone dies abroad?**

If the death has occurred while abroad, the death will need to be registered in that country. It is important that you seek advice from either the British Embassy or the local police about the procedure for registering the death.

If the person died on a foreign ship or aircraft, you must register the death in the country the ship or aircraft is registered in.



### **How to register a death in England**

A death must be registered within five days at a register office (eight days in Scotland). You don't have to use the local register office for the deceased, you can make notification at any register office. It's best to make an appointment.

You can find out the details of register offices on the GOV.UK website.

Once the death has been registered, you will receive a Certificate for Burial or Cremation (sometimes referred to as the "green form") which you will need to give to the funeral director. You will also receive a Certificate of Registration of Death. It is advisable to buy additional copies of the death certificate at this time, as the death certificate may be required by certain parties when administering the estate and sorting out the deceased's affairs. To save time delays as the documents go back and forth, the copies can be used.

### **Who can register a death?**

Usually, a relative will register the death, but if this is not possible then it would fall to:

- Whoever was present with/caring for the deceased at the time of death
- An administrator from the hospital if the deceased died in hospital or in the care of ambulance crew
- Whoever is in charge of making the funeral arrangements

### **What documents will I need to register a death?**

You will need to take the signed death certificate with you to register the death.

The following documents will help, but please don't worry if you can't find them, or the deceased did not have them.

- Birth certificate
- Marriage/civil partnership certificate (if the deceased was married)
- NHS medical card
- Passport
- Proof of address, such as a council tax bill
- Driving licence

### **What other information will the registrar need to register the death?**

You will need to be able to tell the register the following information:

- Details of the deceased's full name and any names they may have previously used
- The deceased's date and place of birth
- Their last address
- Their occupation
- Details of any surviving spouse or civil partner
- Details of any state benefits they were receiving

It will also be helpful to take documents that show your name and address, such as a utility bill, but it is still possible to register a death without any supporting documents.

### **How long does it take to register a death?**

The process of registering the death should take around 30 minutes. If you are registering the death at the deceased's local register office, you will be given all the relevant documentation you need at the end of registration.

If you visit your own, local register office, the registrar will need to send notification of the death to the deceased's closest register office, so the death can be registered in the correct jurisdiction. The documents will then be sent out to you – this could take some days.



### **Who do I need to inform following a death?**

You will need to inform various organisations and agencies. These may include:

- Bank and Building Societies
- The deceased's employer (or clients if self-employed)
- Mortgage provider
- Landlord or housing association
- Utility companies
- GP, dentist, optician and other healthcare providers
- Insurance company
- Credit card company
- Telephone and internet provider
- Any organisations the deceased made regular payments to, such as charities, magazine subscriptions, online entertainment services such as Amazon Prime or Netflix, etc.
- Any local services such as Meals on Wheels, home helps, newspaper deliveries, milk deliveries, etc.
- Any other organisations the deceased had contact with, especially ones the deceased had financial ties with

You may wish to consider contacting the Bereavement Register who will remove the deceased's details from advertisers' mailing lists. This is a free service.

You may be able to use the Government's "Tell Us Once" service, which allows you to report a death to most Government organisations by informing one central service. The registrar will inform you at the time of registering the death if the Tell Us Once service is available for you. There is also information about the service on Gov.uk. If it is not available, then you will need to inform these Government departments individually:

- HMRC
- The tax office

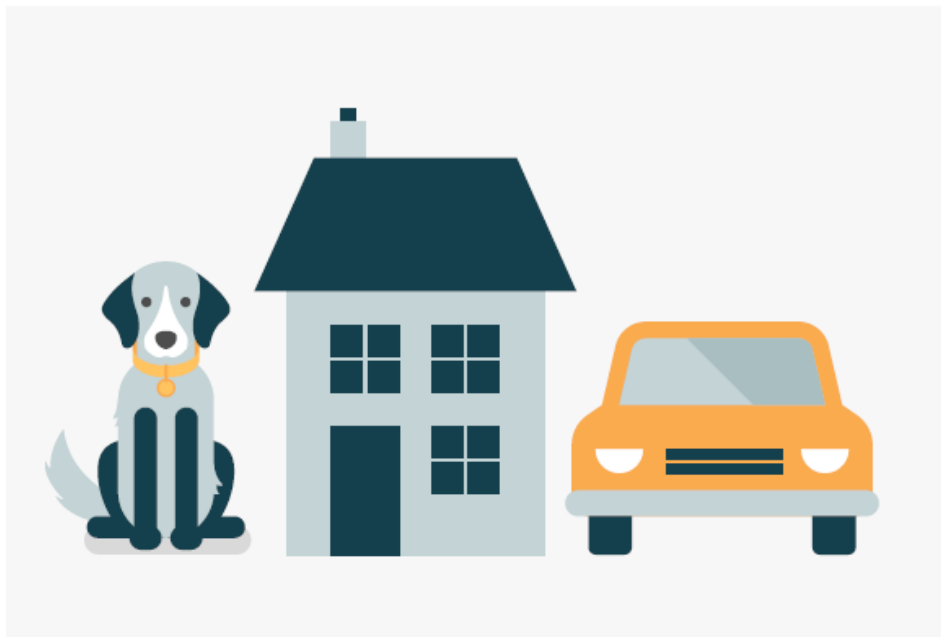
- THE DVLA – you will need to return the deceased’s driving licence.
- The UK Passport Agency – you will need to return the deceased’s passport to HM Passport Office
- The DWP
- Any local services such as electoral services, council tax, libraries, etc.

### **How do I tell people about a death?**

Perhaps the people you will want to inform first will be the deceased’s family and friends. This is a time to be sensitive to the needs and emotions of those who will be affected. Ideally, the news should be broken in person but if that is not possible, a telephone call is the best way to inform people.

The way in which people are told of the passing of a loved one will stay with them for a long time. If the news is given with kindness and empathy, this will hopefully be remembered as a time of loving, caring compassion.

Making an announcement on social media should be avoided until you are sure that all family members and close friends have been personally informed. There is very useful information about informing others of a death on the Dying Matters website.



### **What happens to pets when someone dies?**

If the deceased had any pets, then you will need to make appropriate care arrangements for the animals. The deceased may have left instructions with, or in, their Will so it is important that you check to see if any specific details about the pets have been noted.

If you or another family member or neighbour are not able to look after the pets, then you should contact a local rescue centre or animal welfare charity to arrange rehoming.

## **What happens to property when someone dies?**

The deceased's house and car will need to be made secure. Ideally, keep the car in a lockable garage, or parked off-road on a drive. Ensure the alarm is activated and the vehicle is emptied of all personal belongings.

You should check the deceased's buildings and/or home contents insurance policies to ensure that adequate cover is provided for periods of time when the property is to be left unoccupied until the estate is fully administered. Make sure all exterior doors and windows are locked and secure, and the building is weatherproofed. Remove any items from the garden that may tempt thieves, and place them out of view. If you do not live locally to the property, you could ask neighbours to keep an eye on the house and to contact you if there are any issues.

All other property will be handled as part of the probate process.



## **How do I find the Will when someone dies?**

It is important to find the Will before making any funeral arrangements as the deceased may have left specific requests for their funeral in a Letter of Wishes attached to the Will, or in other paperwork kept with the Will.

If you cannot find the Will, then you may wish to try contacting the Probate Registry, local solicitors, the Law Society, the Society of Will Writers, or asking other family members and friends. It may be necessary to search through any legal correspondence of the deceased as this may hold information about where the Will is stored.

If there is no Will, then the person will have died intestate, and the strict Rules of Intestacy will determine who will inherit property and assets of the estate.

## **Do I need to arrange a funeral when someone dies?**

Generally, relatives will plan the funeral, or a close friend of the deceased. If there is no one available, the local authority is required to provide a simple funeral.

If the deceased left instructions for the funeral, you should follow these. There are several methods for finding a funeral director – the internet, directories, the National Association of Funeral Directors, etc. – but it's always good to talk directly with the firm, and perhaps with people who have used their services, so that you can establish whether they can provide the type of funeral required.



## **What happens if there is a funeral plan in place?**

You may be aware that the deceased had taken out a funeral plan. If you are unsure and are unable to find any relevant paperwork in the deceased's home, you can use the Funeral Planning Authority's (FPA) online search facility which will allow you trace a funeral plan bought by your loved one. The FPA also has helpful information about making arrangements if there is a funeral plan in place.

## **How do I plan a funeral?**

If the deceased didn't leave any information about their desired funeral arrangements, and there is no paid funeral plan in place, then it is up to the remaining family to agree on the type of funeral required and to make the arrangements.

Your chosen funeral director will have a wealth of experience and be able to guide you, as well as make suitable suggestions and ensure that your loved one's funeral reflects them and their life. You can find a local independent funeral director through the National Association of Funeral Directors or The National Society of Allied and Independent Funeral Directors.

### **Do I need to contact a solicitor when someone dies?**

It is not a legal requirement to contact a solicitor when someone dies; however, administering an estate can be complex and care must be taken to ensure that the law is adhered to at all times. Using a solicitor who is experienced in these matters will help alleviate the worry and stress that a layperson may feel, especially if they are attempting to undertake the probate process without legal assistance.

An experienced probate solicitor will deal with the legalities of probate and estate administration, as well as provide you with valuable guidance along the way. This leaves you free to focus on your loved ones and your own grieving process. According to Which, 64% of people use a solicitor for probate and estate administration.

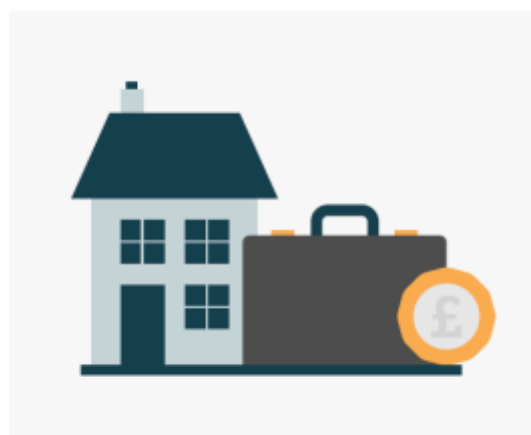
### **Do I need to use the professional executor named in the Will?**

You do not have to use the law firm named as professional executor in the Will to carry out work relating to the grant of probate or estate administration. You are free to choose an independent solicitor to handle the work for you.

There are a number of options available to those who wish to choose an alternative firm to handle estate administration work rather than have the named professional executor involved and Oratto can help.

### **Do I need to contact a local solicitor when someone dies?**

You do not need to use a solicitor who is local to you or to the deceased; you can instruct a probate solicitor from wherever you choose across the UK. You won't need to have face-to-face meetings in order to handle probate and estate administration. All communications can be conducted over the phone, by letter or by email – swiftly and efficiently.





## **What is estate administration?**

Estate administration (also known as probate) is the process of gathering in and administering a deceased person's estate according to their wishes as set out in their Will. Assets must be gathered and valued, and all debts must be paid off before the remainder of the estate can be distributed among beneficiaries. If there is no Will – or no legally enforceable Will – then after any debts have been paid, the remaining estate is distributed in line with the rules of intestacy.

## **How does probate work?**

A grant of probate, or letters of administration if there is no will, will be necessary if the estate is valued at more than £5,000 and contains bank or building society accounts or land, buildings or property that were solely owned by the deceased. Probate can be a complex process with legal ramifications, so it may be advisable to consult a solicitor to handle the process, although there will be fees for this service.

An estate worth under £5,000 is known as a small estate. If all the assets were jointly held and are being passed to a surviving spouse or civil partner, then probate is not always necessary.

Only the executor or executors named in the Will may apply for the grant of probate (or a solicitor acting on their behalf). In the absence of a Will, the deceased's next of kin are responsible for applying for the letters of administration, and for overseeing the administration of the estate, and are known as "administrators".

This probate information is brought to you by Oratto - bringing transparency and clarity around probate pricing for consumers.