



ADROIT



National
Bereavement
Service

**Someone very close has died
unexpectedly – what should I do now?**

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Please note this information applies to England and Wales, and Northern Ireland has similar procedures. Scottish law is very different in this area – please call us for more information.

We never know what's around the corner. Experiencing a sudden or unexpected bereavement is a shock and can be incredibly challenging, whatever the cause.

Deaths on the road are just one example, with [road safety charity Brake reporting an average of 5 deaths per day](#) in the UK between 2012 and 2019.

In 2020, [4912 deaths by suicide were registered England](#), according to statistics from the Samaritans and the ONS, although the actual number may be higher as not all inquests conclude that a death was definitely by suicide and may record an open or narrative verdict.

In 2021, it is estimated that about 20,000 people died from a heart attack (myocardial infarction) in England and Wales (ONS). For some of these people it will be the first time anyone was aware that they suffered from heart disease.

Unable to prepare for the death, you are plunged into a new and painful situation where, if you have no previous experience of death, you find yourself at the start of a difficult and unpredictable emotional journey, as well as having to deal with practical arrangements that you may have no idea about.

For comprehensive information and advice on everything you will need to know and do, and to get the right support for you and others affected, the National Bereavement Service and Adroit Legal Services will help you to navigate this difficult time with the reassurance that experienced, professional guidance is available at the end of a phone, email, or webchat.

Have you experienced a sudden bereavement?

What needs to be considered can be divided into a number of stages. These are roughly chronological, but steps may overlap.

1. The immediate legal procedures.

Unexpected deaths must be notified to the coroner, a judicial official whose role is to investigate every death where the cause is unknown or unnatural. Notification is normally given by the police or a doctor. Occasionally when someone collapses unexpectedly, a GP or hospital may have treated the person for a condition known to cause sudden collapse, and the coroner will ask them to issue a medical certificate of cause of death. The coroner's office will tell you who to contact to obtain this. You then need to make an appointment with the Registrar of Deaths.

For most deaths referred to the coroner, the coroner's officer will contact the nearest family member to find out more about the person who has died and explain what will happen next. Usually this will include a post-mortem examination which is carried out by a specialist doctor solely to establish the cause of death.

Provided the cause of death is found to be natural and not in circumstances where there legally must be an inquest (such as a death in custody), the coroner's office will contact you again to let you know the result and enabling you to make an appointment to register the death. Don't worry if you have heard that a death must be registered within 5 days – although a referral to the coroner doesn't usually delay arrangements for long, this time frame no longer applies.

For deaths that are not natural, the coroner will have to hold an inquest: a court hearing which determines the cause of death. The coroner will issue an Interim Certificate to allow you to make funeral arrangements and start to deal with the estate (everything the person has left behind, such as money, property and belongings).

An exception is where police are investigating a suspected homicide, when the funeral may be delayed for some time, but either the coroner's office or a police liaison officer will keep you informed.

When you have the Medical Certificate of Cause of Death from a doctor/hospital, or permission from the coroner, you'll need to register the death by making an appointment with the Registrar of Births and Deaths in the area where the person died. The contact details will be on the council website if you have not been given them by the GP, hospital, or coroner's office already.

You must make an appointment and the registrar will explain all the documents you will be given. You do have to pay for death certificates (the official name is a "Certified Copy of an Entry in the Register of Deaths"). You need to have information about the person who has died and their legal partner/spouse, whether still married or widowed, but this is not required if they were divorced. Call us if you have not been told what information you need to have.

Ideally registration should be made by a surviving spouse or civil partner (if any), or the next nearest relative. If this is not possible, for example where a person is extremely frail, please check with the registrar when you make the appointment.

"Tell Us Once" is a reporting service for most central and local government services. It means you only need to notify the death once to be effective across a whole range of services, including HMRC, DWP, DVLA and TV Licensing authorities. You'll receive a Tell

Us Once code when you register the death, which you must use within 85 days either online or by phone. (note that Tell Us Once isn't available in Northern Ireland).

2. Who needs to be told about the death?

- Family and friends of the deceased person
- Education provider or employer
- Banks, building societies and credit card companies (all but joint accounts must be frozen until the bank or other institution has proof of the death to prevent identity fraud. Do not use an account, even if you had Power of Attorney or know the bank details)
- Insurance providers (car and buildings insurance may be invalidated by the death)
- Mortgage providers
- Landlord or Housing Association
- Pension providers
- Utilities providers
- GP, dentist, podiatrist etc and any hospital departments caring for the deceased person
- Social & sports clubs and volunteering activities
- Place of worship

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➔ Visit www.thenbs.org for further information.

3. Arranging the funeral

If you don't already know, check the paperwork of the person who's died for a copy of their Will or paperwork for a funeral plan. If you find a funeral plan, you only need to contact the plan provider or the named funeral director. Usually everything will already have been paid for and you only need to discuss details like the date and the content of the ceremony with the funeral director.

Most Wills start with stating whether someone wishes to be buried or cremated. After that you need to contact a funeral director; we recommend only choosing a funeral director who is a member of NAFD or SAIF (professional associations with Codes of Practice).

You do not have to arrange any ceremony after someone has died, but most people find it very helpful to share an occasion with others where the life of the person is remembered and celebrated, as well as meeting any requirements of their faith or spiritual beliefs. Take time to choose appropriate and helpful words and music.

Most funeral directors require a deposit before confirming funeral arrangements. If the deceased person has enough funds in a bank/building society account or life insurance, the organisation will often release the funds.

If you are not certain where the money for the funeral will come from, please call us for advice. Only confirm funeral arrangements once you know the costs are covered.

4. Money and legal issues

If you know a Will has been made but you can't find a copy of it, contact our team for more advice. If no valid Will can be found, the person may have died intestate – without a Will – which will mean someone must be appointed as an administrator of the estate.

The Will should name an executor, or executors, who will administer the person's estate following their death. That will include dealing with financial affairs, bank accounts, property, pensions, insurances, possessions, and other interests.

You do not have to use a solicitor to deal with someone's estate. Sometimes there is very little to do, especially if someone has been in a care home and had very little of their own money left.

Probate is the legal right granted to someone to enable them to deal with a deceased person's estate. Where there is a Will, the probate process confirms that the Will is valid and makes a 'grant of probate' to an executor, next of kin or other person so that they can distribute the estate according to the deceased's wishes.

If there's no Will, an administrator will apply for Letters of Administration. The deceased person's estate must then be distributed according to the Rules of Intestacy, which may mean that a surviving spouse, parent, children or other relative may be a beneficiary but a partner not in a legally recognised relationship may miss out.

It is difficult to state for certain whether or not you will need probate as it is up to the asset holders (such as banks) whether they ask you for it. Some insurance companies ask for probate to release £5,000, but some banks will release up to £30,000 or even £50,000 without a grant. If the deceased person was the sole owner of a property, a grant will definitely be needed.

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An executor or administrator of an estate may choose to appoint a legal professional to administer the estate but can also do so themselves. The larger and more complex the estate is, the more likely it is that you will benefit from using a professional, especially if you need to pay inheritance tax. Probate can take up to a year or more to be completed so can be demanding of both your time and energy, and you can only claim essential expenses from the estate. Solicitors are permitted to deduct their professional fees from the estate.

5. Obtaining help

The National Bereavement Service supports anyone who has experienced a bereavement, including sudden bereavement, with practical information and advice and emotional support. We help you to comply with legal requirements, signpost you to providers such as funeral directors and solicitors, and provide a listening ear that helps you through a very difficult and unexpected time.

Through our sister company Adroit Legal Services, we can introduce you to professional probate and other legal services, part of a specialist legal panel sited throughout the UK that's carefully monitored to ensure consistency and continuity in quality, service and value.

For personal, confidential, and practical help following a bereavement, call the National Bereavement Service for free on 0800 0246 121 or visit www.thenbs.org

Related guides available:

- Registering a death
- Finding a funeral director
- Paying for a funeral
- Coroners, post-mortem examinations and inquests

➔ **Visit www.thenbs.org for further information.**