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What To Do When Someone Dies

A Practical Guide



What To Do When Someone Dies – A Practical Guide

It's always difficult to know where to start when you someone you love dies. You're trying to deal with the loss, but it's really important to also understand the practical things you need to do.

This guide will take you through some of the things that you'll need to consider and help you to be clear about the steps you need to take after someone dies.

Most of this guide assumes that you are the Personal Representative of the person who died - also known as an Executor (if there was a Will) or the Administrator (if there wasn't a Will).

In this guide, we'll cover:

- ▶ **Registering the Death**
- ▶ **Paying for the Funeral**
- ▶ **Dealing with Probate**
- ▶ **Dealing with a Property**
- ▶ **Dealing with personal belongings**
- ▶ **Help for a surviving partner**
- ▶ **Protection from Fraud and Identity Theft**
- ▶ **Dealing with Digital and Online Accounts**
- ▶ **Planning for the Future**



You can jump to the sections you want to read by clicking on the links above, or simply scroll through the whole guide for a comprehensive look at what to do when someone dies.

We have a specialist team who are available to talk you through the practical things you'll need to do when someone dies, so just get in touch on **0808 239 8284**.

Registering the Death

You'll need a medical certificate of death before you can register the death. Who will give you the medical certificate will depend on where your loved one or family member died.

If they died at home, the GP may give you the medical certificate themselves or you may need to collect it from the surgery. If they died in a care home or hospital the administrators at the hospital or care home should give this to you.

If the doctor isn't sure why they died or they hadn't seen a doctor for 14 days before they died, the medical certificate can't be issued immediately. The coroner will need to decide if they need to investigate the death. The coroner will either ask the GP to issue the medical certificate if they see no need to investigate or they will order an autopsy.

Once you have the medical certificate, you can register the death.

There's a quick and easy tool on the [Gov.uk](https://www.gov.uk) website where you can get all the information you need to register a death wherever you are in the UK. In England and Wales, you only have 5 days to register a death, unless there are investigations by the Coroner.

You can also use the [Tell Us Once](https://www.gov.uk/tell-us-once) service to let most government departments know about the death.



Paying for the Funeral

Arranging the funeral, and paying for it, is probably one of the first things you'll need to deal with. The costs of the funeral are classed as a debt against the Estate, so as long as there is enough money in the Estate to pay for it, you could arrange for the funeral costs to come from the Estate.

These steps will help you to do this.

Step 1 – Is there a Funeral Plan?

If there is, this will probably pay for most, if not all of the funeral.

Step 2 – Is there Enough Money?

You'll need to check the bank accounts of the person who died to see if there is enough money to pay for the funeral. The bank should release these funds so you can pay for the funeral costs as long as you give them a death certificate and the invoice from the funeral director.

Step 3 – Other Options

If there's no funeral plan or money in the Estate to pay for the funeral, you'll need to find another way to pay for it. The funeral provider could offer you a payment plan or you could see if you're eligible to claim for some help from the Social Fund Funeral Payment. There are some criteria you'll need to meet and you won't get the full amount you need to pay for the funeral.

Dealing with Probate

You may need to go through the Probate process if the Estate is valued at more than £5,000. You'll need to apply for either a Grant of Probate if there's a Will or a Grant of Letters of Administration if there isn't. These documents show that you have the legal right to deal with the Estate. For more information [visit our website](#).



Dealing with a Property

It's important to deal with any property as soon as possible after someone dies. This is particularly important if the property is left empty.

These are some of the key steps:

Step 1 – Make Sure the Property is Secure

Empty houses and flats are more vulnerable to breaks in, so make sure all windows and doors are shut and locked, and turn on any burglar alarms. If there is cash or valuable items in the property, these should be taken and kept somewhere safe.

Step 2 – Deal with Incoming Post

Uncollected mail can be a sign that a property is empty, which could leave it vulnerable. Post can also be used to steal an identity as it gives personal details.

Arrange for any post to be redirected by Royal Mail. You can do this **online** or at any Post Office.

You can also register the details of the person who died on www.thebereavementregister.org.uk and www.deceasedpreferenceservice.co.uk. These websites will stop unwanted marketing mail being sent to the address.

Step 3 – Arrange Insurance

You have to tell the current insurance company that the person has died as this will affect the buildings and contents insurance policy. The insurance policy must be updated with your details as the Personal Representative. It's also important to tell them if the property is not occupied. They could decide that they don't want to insure the property any more. If this is the case, you'll need to arrange insurance as soon as possible. Check with the insurer to see if you have to disconnect the gas supply and drain the water system as a requirement of the policy for an empty property.

Step 4 – Protect From Fraud

Empty properties are a higher risk for fraud. This can include fraudsters trying to get a mortgage against the property or even trying to sell it by pretending to be the person who died. You can protect the property by setting up an alert at the Land Registry. By setting up an alert, you'll be told of any activity such as an official search or application on that property. This will help you take early action.

Step 5 – Deal with the Utilities and Council Tax

As the Personal Representative, you'll need to contact all the utilities companies to tell them that the person has died. This will be to pay any outstanding bills, get back any credit balances and close the accounts.

You'll probably have to send each of the companies a letter to close the account. This will apply to the gas, electricity and water providers and include:

- ▶ Name and address of the person who died
- ▶ Account number
- ▶ Copy of the Death Certificate
- ▶ Meter readings
- ▶ Your name and address as Personal Representative, or your solicitor's if you're using one for Probate.

If Council Tax was being paid, you'll need to tell the Local Authority that they've died and give them the same information as you give to the utility companies. If the property is unoccupied, the property will be exempt from Council Tax for six months after the Grant of Probate is issued. If you are a surviving partner, living alone, you could get a 25% reduction on your Council Tax. Just call your Local Authority for more information.

Step 6 – Selling or Transferring the Property

If the property needs to be sold or ownership needs to be transferred, you'll need to arrange this as Personal Representative. If selling, you'll need to get the property valued and instruct Conveyancing Solicitors. You still need to use a Conveyancing Solicitor if you transferring the property. We can help you with either selling or transferring the property.



Dealing with Personal Belongings

The Personal Representative has the authority to deal with the personal belongings, and as they are often either the surviving partner or a family member, they would usually arrange the sale or distribution of these things.

If the Personal Representative isn't the partner or family member of the person who died, they probably won't deal with this themselves unless there is no one else.

We look at the steps you need to take to make sure you follow the right process when dealing with the belongings of someone who died.

Step 1 – Make Sure the Belongings are Safe

Remove anything of value from the property and store it securely. Make sure the property is secure by locking windows, doors and putting on any burglar alarms. This is even more important if the house is empty.

Step 2 – Make a Record

It's really important to document all items and it's a good idea to take photos of any valuable items.

Step 3 – Get Valuations

You'll need to get items valued professionally, rather than make assumptions on their value. This can help to avoid any future disagreements or disputes.

Step 4 – Read the Will

Making sure that the wishes of the person who died are followed is so important and the Will can tell you about any specific personal items that have been left to particular people. If an item is mentioned in the Will that you can't find, make sure you tell the Personal Representative. This can have tax implications on the Estate and is important.

Step 5 – Give the Items to the Beneficiaries

As long as the Personal Representative and the beneficiaries are in agreement, these items can be given out to family and friends. You should keep a list of who has received what, so you can check it in future if there are any disagreements later on.

If you can't get agreement from the beneficiaries or if there are any items with no specific instructions, the Personal Representative will need to arrange the sale, disposal or donation of these things. Make sure you keep a record of anything donated to charity for tax purposes.

Help for a Surviving Partner

Losing your partner will have a profound effect on your life. Even if you're not the Personal Representative of the Estate, you'll need to be involved in some of the processes. This Guide will help you to understand the practical steps you need to take.

Step 1 – Additional Benefits or Pension

You could be eligible to claim Bereavement Support Payment, in the form of a lump sum or monthly payments. There are time limits in place to claim for this additional support and you may get less if you delay making a claim. It's easy to check if you're eligible [here](#). If you are eligible, it's quickest to apply by phone on **0800 731 0469** or if you're a Welsh speaker on **0800 731 0453**.

Step 2 – Keep Records of the Estate

Whether you need to get a Grant of Representation, also known as Probate, or not you should keep records of what was in your partner's Estate and who inherited what. These records will be used to make sure you have the right tax planning in place now and also when you die.

If you have a Probate Solicitor managing the administration process for you, make sure they give you evidence of the value of the estate and who inherited what. This is called an Estate Account. Make sure you keep this safe once you get it.

Step 3 – Deal with Joint Assets and Debts

Anything you owned jointly will need to be transferred into your name. This includes bank accounts, insurance, and any household bills you shared. You'll need to provide the death certificate to make these changes.

If your property was owned as Joint Tenants, you'll need to tell the Land Registry to update their records.

If you have a mortgage or loans in joint names, you'll need to give the company the death certificate so they can put these in your name only. They become your sole responsibility.

Step 4 – Review Your Own Situation

When your partner dies, it's really important to update your existing Will, if you have one, or make one if you don't. This is so important and will guarantee that your wishes are followed when you die.

You should also think about making a Lasting Power Attorney in case you need help in the future with your finances or you lose capacity and someone needs to make decisions about your care for you.

Choose a family member or friend or you can ask a professional to take on this role for you.

Taking the time to think about your own situation is so important after your loss, so make sure you plan for your future.

Protection from Fraud and Identity Theft

Identify theft and fraud is growing, but there are some quick and easy things you can do to protect the identity of the person who died.

Step 1 – Keep Personal Documents Safe

Collect any personal documents together and keep them somewhere safe, away from the property if this is empty. This includes:

- ▶ Driving Licence
- ▶ Passport
- ▶ Birth Certificate
- ▶ Marriage certificate
- ▶ National Insurance Number
- ▶ Bank cards, credit cards and cheque books

You'll need to tell the Passport Agency and the DVLA that the person has died. Hopefully both are included in the **Tell Us Once** service, but if not, you'll need to write and tell them.

Step 2 – Tell Credit Agencies

By telling credit agencies that someone has died, you can make sure that they add a 'deceased notice' to their credit file. This means if a credit check or credit application is made, the Personal Representative will be notified. This will help to avoid fraud.



Dealing with Digital and Online Accounts

It's so important to think about the digital legacy of the person who died. Almost everyone who dies now leaves a digital footprint so it's important to deal with all the digital aspects of their life.

Here are some of the digital assets you may want to consider as a Personal Representative, but there may be others.

Many organisations will want to see a death certificate to close the online account. If you have the password and you log in, you'll probably be in breach of the terms and conditions of the site so this isn't recommended.



They've made it very easy. Just email them a certified copy of the death certificate, along with the email address of the person who died to bereavement-support@amazon.co.uk and they will action the closure of the account. They will even transfer any Amazon gift vouchers to you, but you may need to send them proof of your relationship with the person who died.

Apple / iCloud



Apple specifically state in their Terms of Use that there is 'No Right of Survivorship'. That means your account is not transferable and any rights to your account terminate when you die. Leaving your passwords and access to a loved one or family member may also breach their Terms of Use. Make sure you download all photos to a computer, external drive or burn them to a DVD or CD so they can still be accessed. Apple ask for you to have a Court Order to show that you've inherited their devices or personal information, so it may be best to speak to your Probate Solicitor for advice. Read more from Apple on [how to request access to a family member's Apple accounts who's died](#).



There's nothing specific on eBay's website about what to do with the account of someone who's died. Visit the '[Closing your account and deleting your data](#)' page at eBay. You can find the Close Account button at the end of the page. Once you click on that, you'll be taken to a log in page, where you need to log in with their details, not yours. Once logged in, you'll be asked for a reason for leaving.

Facebook



Facebook has specific instructions on its website on how to deal with the account of someone who has died and there are a couple of options. You can either memorialise a Facebook account or remove it completely. When you memorialise the account, family and friends can still look at the page and share memories on it. It also means the account is secure and no one can log onto it. You can memorialise a Facebook account [here](#). You'll need to provide a copy of their death certificate.

If you decide that you want to remove an account, you'll need to give them proof of your authority and proof of death. These can include power of attorney, copy of a Will or an Estate letter. You can also send a certified copy of a death certificate. You can remove the account [here](#).



Google makes it easy to deal with a User Account when someone dies. You simply visit their [Request regarding a deceased User's Account page](#) and choose whether you want to:

- a) Close the account
- b) Submit a request for funds from the account
- c) Get data from the account.

You'll need to provide information about you, your identity and some ID, along with a death certificate and any other documents Google requests.



You can get a LinkedIn profile deleted when someone dies and you can get all the information you need to do that by looking at the [Deceased LinkedIn Member page](#).



This includes services such as Hotmail, One Drive or Outlook.com. You can either close the account yourself, or it will close after two years of no activity. If you need access to the account, you'll need a Court Order, along with some information for Microsoft such as a death certificate, ID and proof that you're a beneficiary. You can access detailed instructions on [Microsoft's website](#).



You can claim back a refund from Transport for London for a season ticket or pay as you go credit. You can find all the information for a refund on the [TFL website](#) or you can call 0343 222 1234.



PayPal needs information about the Executors or Administrators, along with other documentation. You can find all the [information on their website](#). Once you have all the information, you just need to email the information to them on Bereavement@paypal.co.uk.

Twitter



You can deactivate a Twitter account. You'll need to complete [this request form](#) and provide all the information they need such as your ID, a death certificate and proof that you're authorised to act for the estate.

Preparing for the Future

When you're ready, it's really important to put things in place now that will help protect you and your loved ones in the future.

Make a Valid Will

A Will is a legal document that ensures your assets are shared how you want them to be after you die. A Will allows you to leave gifts to family and friends and even donations to charities that are close to your heart. In short, it gives you peace of mind that your Estate will be dealt with as you wish.

Protect your family and friends from heartache

As you may have found during your own experience of Probate, without a Will, family members can't carry out what they feel are the wishes of their loved one, and it might also lead to disputes between relatives over what they think should happen. A Will stops unnecessary upset for family and friends at what's already a very difficult time for them.

Remember it's important to keep your Will up to date

Even if you have already made a Will, as your circumstances have recently changed, it's important that you update your Will to reflect your current wishes and situation.

At Simpson Millar, we have a friendly expert team who can help you make sure your wishes are fulfilled. If you need a Will or need to review your existing Will, we can help you.

Book a Free Consultation with
our Specialist Wills Team



0808 239 8284



www.simpsonmillar.co.uk



What is a Lasting Power of Attorney?

A Lasting Power of Attorney, known as an LPA, is a legal document that lets you appoint someone you trust so they can legally make important decisions for you. The person you appoint is known as your Attorney. You can only make an LPA if you have mental capacity.

There are 2 kinds of LPAs:

A Property and Financial LPA will give your Attorney access to your bank accounts, and allow them to pay your household bills, collect your benefits or pension and sell your property. Once a Property and Financial LPA is in place, it can be used immediately.

A Health and Welfare LPA allows your Attorney to make decisions about your healthcare and personal welfare. They can decide what medical treatment you'll receive, make day-to-day care decisions about your daily routine, such as what you wear and eat, and make more serious decisions about any life-sustaining treatment. A Health and Welfare LPA can only be used when you've lost capacity and can't make decisions for yourself any more.

When should I make an LPA?

Planning ahead and putting an LPA in place as soon as possible is the best option for you and your family. It's absolutely essential that you put your LPA in place while you still have capacity and can make decisions for yourself.

If you don't have capacity, you can't appoint Attorneys or make an LPA.

You may decide to put your LPAs in place when you make your Will. A Will deals with what happens after you die, but your LPA helps you manage your affairs when you're alive. So while they're both different, they're equally important.

How do I make an LPA?

Call us and make an appointment to speak with a legal professional to draft your LPA. It's important that you are clear about what you want and the impact of the decisions you make in your LPA. Although you can do this independently, proper legal advice from specialist advisors helps you to protect yourself.

Book a Free Consultation with
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