

Information Sheet

23 Bereavement Benefits

This information sheet gives a brief guide to bereavement benefits **for men and women whose husband, wife or registered civil partner died after April 2001**. A new system of bereavement benefits started in April 2001, with payments being made to both women and men. Before April 2001, only women could receive widows' benefits; men did not qualify. However, bereavement benefits are primarily aimed at people **under** pension age.

The information sheet also gives some information on other financial issues that surviving partners may need to know about.

For more detailed information and advice on the emotional and practical aspects of dealing with the death of your husband, wife or civil partner, see our free advice leaflet *Bereavement*.

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Widows' benefits before 9 April 2001

If you were getting Widow's Pension or Widowed Mother's Allowance before 9 April 2001, this system of bereavement benefits will not apply to you. If you got one of these benefits, you will carry on getting it for as long as you qualify for it. If you have any questions about your entitlement to these benefits, contact your local benefits office, or call our free advice line, **SeniorLine**, on **0808 800 6565**. If you are in **Northern Ireland**, call SeniorLine on **0808 808 7575**.

Bereavement benefits

If you are married or in a registered civil partnership and your partner dies, you may be able to get extra financial help from the Department for Work and Pensions (DWP). These benefits are called bereavement benefits.

Bereavement benefits are benefits paid to widows, widowers or the surviving partner of a civil partnership. You can get a bereavement benefit if your husband, wife or civil partner died on or after 9 April 2001.

You may be able to claim a:

- **Bereavement Payment:** A tax-free lump sum of £2,000 paid when your husband, wife or civil partner dies.
- **Bereavement Allowance:** A taxable weekly payment, paid for up to 52 weeks to surviving partners who were 45 or over, but under pension age, when their husband, wife or civil partner died.
- **Widowed Parent's Allowance:** A weekly benefit paid to widows and surviving civil partners who are pregnant or to widows, widowers and surviving civil partners who have eligible children.

Bereavement Payment and the Bereavement Allowance are contributory benefits - this means that they are based on the amount of national insurance (NI) contributions your husband, wife or civil partner paid during their working life. Your husband, wife or civil partner must have paid a minimum amount of NI contributions for you to qualify.

However, even if your spouse or partner did not pay enough NI contributions, you may still qualify for bereavement benefits if his or her death was due to an

industrial injury or disease. If you think this may apply to you, contact your local Citizens Advice Bureau for advice.

To claim bereavement benefits, you must have had a formal marriage ceremony with your husband or wife who has now died. You can also get a bereavement benefit if you and your same-sex partner who has died, registered a civil partnership. However, if you live in **Scotland**, it was possible to claim a bereavement benefit if you had an 'irregular marriage'. This meant that you lived with someone as husband and wife and you were treated as though you were married. Since 3 May 2006 most people are no longer able to enter into an irregular marriage. However, you can continue to get bereavement benefit if you are already irregularly married. For further advice, contact your local Citizens Advice Bureau.

What you can claim largely depends on your age when your husband, wife or civil partner died. Bereavement benefits are intended to help people of working age manage when they lose their husband, wife or civil partner. There are a few situations where you can get a bereavement benefit after pension age, but usually these benefits are paid to women under the age of 60 and men under the age of 65.

Bereavement Payment

If your spouse dies when you are over 45 but before you reach pension age

You can claim this £2,000 lump sum if:

- your husband, wife or civil partner paid enough NI contributions; or
- his or her death was caused by their job.

You will not have to pay tax on this payment.

If your spouse dies after you reach pension age

You will only receive this £2,000 lump sum after you reach pension age if your husband, wife or civil partner:

- paid sufficient NI contributions; **and**
- was not entitled to a State Retirement Pension based on their own NI contributions when he or she died (for example if your wife died before she reached the age of 60, or your husband died before he reached the age of 65).

To claim this payment, complete form BB1, which you can get from your local benefits office or download from the DWP website at www.dwp.gov.uk You must claim within 12 months of your husband, wife or civil partner's death, or you won't get the Bereavement Payment.

Bereavement Allowance

You can claim Bereavement Allowance if your husband, wife or civil partner paid sufficient NI contributions, and **if you are 45 or over but are under pension age** when your spouse or civil partner dies. Your spouse or civil partner must have died on or after 9 April 2001. Bereavement Allowance is taxable and is paid for up to 52 weeks following your bereavement.

If your partner dies when you are aged between 45 and 54

If you are aged between 45 and 54 when your husband, wife or civil partner dies, you will get a reduced rate of Bereavement Allowance. The amounts range from £25.28 if you are aged 45 when your partner dies, to £78.35 if you are aged 54 at the time of his or her death. Again, you will only get these full amounts if your husband, wife or civil partner paid the required amount of NI contributions.

If your partner dies when you are over 55 but before you reach pension age

If you are aged 55 or over when your husband, wife or civil partner dies, you will get the full rate of Bereavement Allowance, if your husband, wife or civil partner had a complete NI contribution record. This is currently **£84.25** a week. If their contribution record is not complete you may get Bereavement Allowance at a reduced rate.

To claim Bereavement Allowance, fill in form BB1, which you can get from your local benefits office or download it from the DWP website at www.dwp.gov.uk Make sure that you make your claim within three months of your husband, wife or civil partner's death. If you claim after three months, you will only receive the allowance from up to three months before the date of your claim, not from the date you were bereaved.

Bereavement Allowance stops if you remarry or register a civil partnership. If you live with someone as husband, wife or civil partner, but without marrying, your Bereavement Allowance will be suspended. It can be reinstated if the relationship ends.

If you are receiving Bereavement Allowance when you reach the age of 60 (if you are a woman) or 65 (if you are a man), you have to change to the State Retirement Pension. You cannot receive Bereavement Allowance after pension age. You will almost always be better off on State Retirement Pension, as this will be paid at the same or a higher rate than Bereavement Allowance.

You should be sent a copy of the State Retirement Pension claim form BR1 about four months before you reach state pension age. If you haven't been sent one three months before pension age ask for one at your local benefits office, or call **0845 300 1084** for a copy.

If your spouse dies after you reach pension age

You can't claim Bereavement Allowance if your husband, wife or civil partner dies after you have reached pension age.

However, if you are receiving a State Retirement Pension based on your own national insurance (NI) contributions, you may be entitled to an increase based on the NI contributions your husband, wife or civil partner paid. If you are not receiving a State Retirement Pension in your own right you may be able to claim a State Retirement Pension based on the NI contributions your husband, wife or civil partner paid.

To claim a State Retirement Pension, or an increase in your State Retirement Pension, fill in form BR1, which you can get from your local benefits office or download it from the DWP website at www.dwp.gov.uk or by calling 0845 300 1084. For more information on the State Retirement Pension, see our free advice leaflet *Questions on Pensions*.

For more information on bereavement benefits contact your local benefits office and ask for leaflet NP45 *A guide to Bereavement Benefits*. If you were already getting Retirement Pension when your husband, wife or civil partner died ask for leaflet NP46 *A guide to State Retirement Pensions*. Both leaflets can also be downloaded from the DWP website at www.dwp.gov.uk

Widowed Parent's Allowance

Widowed Parent's Allowance is a payment made to men and women under pension age who were bereaved after 9 September 2001 (5 December 2005 for civil partners) who have dependent children. This is a taxable benefit paid at the same rate as Bereavement Allowance, with extra amounts for each child. These extra amounts for children are not taxable. If you have dependent children you

should claim Child Tax Credit at the same time as you claim Widowed Parent's Allowance.

You cannot receive both the Widowed Parent's Allowance and Bereavement Allowance at the same time. However, you may become entitled to Bereavement Allowance after your Widowed Parent's Allowance stops when you no longer have dependant children. This can only happen if your Widowed Parent's Allowance ends within 52 weeks of your bereavement. Bereavement Allowance will then be paid only for the rest of that 52 week period.

You may also be entitled to an additional state pension based on your husband, wife or civil partner's earnings. See page 9 for more information on this.

To claim Widowed Parent's Allowance, fill in form BB1 which you can get from your local benefits office or download it from the DWP website at www.dwp.gov.uk Make sure that you claim within three months of your husband, wife or civil partner's death. If you claim after three months, you will only receive the allowance from up to three months before the date of your claim.

You will continue to be paid the Widowed Parent's Allowance as long as you have dependent children unless:

- you remarry;
- you enter into a civil partnership;
- you live with someone as if you were husband, wife or civil partner; or
- you reach pension age.

If you are still receiving Widowed Parent's Allowance when you reach state pension age, you will have to change to State Retirement Pension. State Retirement Pension is always paid at the same or at a higher rate than the Widowed Parent's Allowance, and you will still receive the same extra payments for your children. Unlike the Widowed Parent's Allowance, State Retirement Pension will be paid for life, even if you remarry, enter a civil partnership or live with someone as husband, wife or civil partner.

Occupational and personal pensions

If your husband, wife or civil partner paid into a pension scheme through his or her job, or he or she paid into a personal pension scheme, you may be entitled to receive a widow or widower's pension from the scheme. Generally, you will

receive a proportion of the amount your husband, wife or civil partner was entitled to. However, each pension scheme is different. The pension company should give you full details about what you will receive, once you tell them about your husband, wife or civil partner's death.

Any pension you receive through your husband, wife or civil partner's occupational or personal pension scheme will not affect your entitlement to a State Retirement Pension, Bereavement Payment, or Bereavement Allowance.

If you need advice on your entitlement to your husband, wife or civil partner's occupational or personal pension, contact the pension company involved. If you need more general advice, contact your local Citizen's Advice Bureau or the The Pensions Advisory Service (TPAS).

War Widow's or War Widower's Pension

You may be entitled to claim a War Widow's or War Widower's Pension if your husband, wife or civil partner's death was due to an illness or injury for which he or she was getting a War Disablement Pension. You may also be able to claim if your spouse or civil partner wasn't getting a War Disablement Pension, but would have been entitled to one had he or she claimed it.

You may also be entitled to a War Widow's Pension if:

- your husband, wife or civil partner was receiving Constant Attendance Allowance; or
- your husband, wife or civil partner was receiving an unemployability supplement and was assessed as being at least 80 per cent disabled as a result of war injuries.

You can't receive both a War Widow's (or War Widower's) Pension **and** Bereavement Benefit, but you will usually be better off claiming a War Widow's (or War Widower's) Pension if you have the option. It is tax free and normally paid at a higher rate.

If your War Widow's or War Widower's Pension was stopped because you remarried or registered a civil partnership or started to live with a partner as man and wife or civil partner, you can now reclaim if the marriage, partnership or relationship ends.

The rules about war pensions are complex. For more information, or for help with making a claim, contact the Veterans Agency on **0800 169 2277**. Or look at their website: www.veteransagency.mod.uk

Social Fund Funeral Payment

If you need help with the cost of your husband, wife or civil partner's funeral, you may be able to claim a Social Fund Funeral Payment. To claim a Funeral Payment you must be receiving one of the following:

- Pension Credit
- Income Support
- Jobseeker's Allowance (Income based)
- Council Tax Benefit
- Housing Benefit
- Working Tax Credit (with a disability or severe disability element)
- Child Tax Credit.

The funeral payment is up to £700 or £120 if your husband, wife or civil partner had a pre-paid funeral plan. You will also get the cost of purchasing a burial plot and the burial fee or the cremation fee and the medical expenses connected with cremation.

In addition, you can get the cost of one return journey within the UK to make the arrangements or attend the funeral, and if the body must be moved more than 50 miles (within the UK), then the reasonable costs of taking the body to a funeral director's or place of rest will also be covered. If the funeral journey has to be more than 50 miles then that cost will be covered too.

If you are over 60 you will get the funeral payment no matter how much you have in savings, as long as you are receiving one of the benefits mentioned at the beginning of this section.

If you benefit from an insurance policy this will be taken into account. If any other friend or relative gives you money towards the cost of the funeral, that will be deducted from the payment too. Assets that are available before probate and any arrears of benefits paid to you as next of kin will also be deducted from any payment. The payment may be reclaimed by the Department for Work and Pensions from any cash available from the estate.

To claim this payment you will need to complete form SF200 which you can get from your local benefits office or download it from the DWP website at www.dwp.gov.uk. You must claim within three months of the funeral.

If your husband, wife or civil partner was a war pensioner

You may be able to get help with the cost of a simple funeral if:

- your spouse or civil partner died from the disablement condition for which he or she was getting a war pension; or
- your spouse or civil partner died in hospital while having treatment for that disablement condition; or
- your spouse or civil partner was getting war pensioner's Constant Attendance Allowance at the time of his or her death; or
- your spouse or civil partner was getting a War Disablement Pension assessed at 80 per cent or more and Unemployability Supplement at the time of his or her death.

You will not have to pay any of the money back from your spouse or civil partner's estate. Claims must be made within three months of the funeral.

To claim write to:

Customer Service Unit

Veterans Agency

Norcross

Blackpool FY5 3WP

For information on the emotional and practical issues of dealing with the death of your husband, wife or civil partner, see our free advice leaflet <i>Bereavement</i> .
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Inheriting SERPS and S2P

SERPS stood for the State Earnings Related Pension Scheme, and ran from April 1978 until April 2002. It was then replaced by the Second State Pension (S2P). Workers contributed to SERPS or S2P unless they opted out and paid towards an occupational or personal pension instead. The payments made under SERPS and S2P give you an additional pension on top of your basic State Retirement Pension when you retire.

When someone dies, their surviving partner can inherit a percentage of the SERPS or S2P pension that their husband, wife or civil partner received. This additional pension is paid on top of the State Retirement Pension the surviving partner receives. If you are over state pension age when your husband, wife or civil partner dies, you cannot claim Bereavement Allowance. Instead, you will usually receive a State Retirement Pension. This may be based to some extent on your late husband, wife or civil partner's contributions record – either increasing what you are entitled to on your own contributions, or giving you a State Retirement Pension based entirely on your husband, wife or civil partner's contribution record.

The maximum percentage of SERPS that you can inherit on the death of your husband, wife or civil partner depends on the date when he or she reached (or would have reached) retirement age. A surviving partner can inherit 50 per cent of their husband, wife or civil partner's S2P.

So whatever amount your husband, wife or civil partner got in additional pension through SERPS or S2P, after his or her death a percentage of this amount is added to your State Retirement Pension each week, up to a maximum weekly amount permitted.

The rules about inheriting SERPS are quite complicated, but note that if your husband, wife or civil partner died before 6 October 2002 you will not be affected by these rules.

- If your husband, wife or civil partner reached state pension age (65 for a man, 60 for a woman) on or before 5 October 2002, you will receive up to 100 per cent of their SERPS when they die, whenever this takes place.
- If your husband, wife or civil partner reached state pension after 5 October 2002 you will receive a maximum of between 90 per cent and 50 per cent of their SERPS. How much you get will depend on when your husband, wife or civil partner would have reached pension age.

It is the date on which the person who died reached or was due to reach pension age which is important. The date on which he or she died is not relevant here. Equally, **your** age is not an issue when working out how much of your husband, wife or civil partner's SERPS or S2P you may be entitled to. This is because any additional SERPS or S2P pension you receive on top of your pension, following the death of your husband, wife or civil partner, is based on

the SERPS or S2P payment he or she made in the past. It is not related to any payments you made yourself.

If you need any more information call your local Pensions Centre on: 0845 60 60 265. You can also get detailed leaflets on inherited SERPS and S2P by calling this number. Information is also available on The Pension Service website at www.thepensionservice.gov.uk

Useful contacts

Citizens Advice Bureau

(see your local telephone book)

Website: www.adviceguide.org.uk

Offers advice and information on a wide range of topics including benefits, housing, legal matters, and local services available.

Cruse Bereavement Care

Cruse House

126 Sheen Road

Richmond

Surrey TW9 1UR

Tel: 020 8939 9530

Helpline: 0870 167 1677

Web: www.crusebereavementcare.org.uk

Cruse Bereavement Care offers free information, advice, support and counselling to bereaved people. Cruse runs a helpline, and can supply a wide range of books, leaflets and a newsletter for bereaved people.

The Pensions Advisory Service (TPAS)

11 Belgrave Road

London SW1V 1RB

Helpline: 0845 601 2923

Web: www.opas.org.uk

Offers help and advice on all matters relating to occupational and personal pensions.

Veterans Agency Helpline

Tel: 0800 169 22 77

Web: www.veteransagency.mod.uk

Can give you advice and information on War Pensions and send you the necessary claim forms.

For further information contact:

Information Resources Team
Help the Aged
207–221 Pentonville Road
London N1 9UZ
Tel: 020 7278 1114

If you have access to the internet you can download our advice leaflets and information sheets by logging on to www.helptheaged.org.uk

SeniorLine is the free welfare rights advice and information service run by Help the Aged for older people and their carers. Trained advice workers offer free, confidential and impartial advice about:

- Welfare and disability benefits
- Community and residential care
- Housing options and adaptations
- Access to health and community services
- Equipment to assist independence
- Support for carers
- Agencies offering local practical help

Freephone: **0808 800 6565**

Textphone (Minicom): **0800 26 96 26**

9am to 4pm, Monday to Friday

If you are in **Northern Ireland**, contact **Senior Line** on **0808 808 7575**.

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