

Bereavement

We are here to help



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To help you during this difficult time, we have put together this practical guide which includes all the information you need to know in order to organise the financial matters of your next of kin or someone close to you. If you require any additional information or support, please do not hesitate to contact us.

- Visit your local branch (details of which can be found on our website or obtained from our Customer Services Team)
- Call our dedicated Customer Services Team on 01228 403141. Lines are open Monday to Friday 8am to 8pm, Saturday 8.30am to 4pm and Sunday 10am to 4pm
- Write to us at the following address:
Investment Services
Cumberland Building Society, Cumberland House,
Cooper Way, Parkhouse, Carlisle, Cumbria CA3 0JF

Contents

We are here to help	2
What you need to do	3
1. Register the death	3
2. Notify the Cumberland	3
3. Obtain the relevant documents	3-4
4. What happens to the account?	4-6
5. What happens if there is no will?	7
England & Wales	7
Scotland	8
6. Arrange the funeral	9
7. Contact any relevant parties	9
8. Inheritance Tax	9
9. Additional Permitted Subscriptions	9
Glossary	10
Useful websites	11

What you need to do

To guide you, we have detailed some of the key steps that you (as the next of kin or Personal Representative) will need to take following the death of a loved one.

1. Register the death

By law you must register a death within 5 days in England and Wales, and 8 days in Scotland. This should be done at the registry office, and it is best to go to the registry office in the area where the person died. The following website will help you locate the nearest registry office www.gov.uk/register-offices. The registrar will provide you with all the necessary documentation to proceed with the funeral arrangements:

- a certificate for burial or cremation
- a certificate of registration of death
- a death certificate

When registering the death, you should consider requesting more than one copy of the death certificate as many organisations will request to see the original certificate before they can help you to deal with the deceased's affairs.

Many registry offices offer the Government's 'Tell Us Once' service. This service notifies various government departments of the death, for example, DWP (pensions), HMRC (taxes), DVLA, the local and county council.

2. Notify the Cumberland

If you haven't done so already, please notify us of the death as soon as possible. We will let you know what documentation we require and what will happen to the accounts of the deceased.

Upon notification of a customer's death, we will freeze the account.

Please note, we must see the original death certificate or a certified copy (see table below), before any amendments can be made to our records.

You can write to us to inform us of the death or visit your local branch.

We will always require:

- The deceased's name, address and date of death
- Your name, address and contact details
- Original death certificate or a certified copy (this will be returned to you)

3. Obtain the relevant documents

Depending on the type(s) of account(s) and the balance(s) held, you may be required to provide additional documentation. We will advise you what documentation we need at the time you notify us of the death.

Type of document	What this is
Death Certificate	<p>The legal document issued by the registrar when a person dies. It is a copy of the entry in the register of deaths at the General Register Office.</p> <p>The Society must see the original Death Certificate or a certified copy in all circumstances. Copies of documentation can be certified by a regulated professional person, such as a solicitor, accountant or bank/building society official.</p>
Will	<p>A legal document that states your wishes about what you want to happen to your assets when you die. A will contains the name(s) of the executor(s) i.e. the person(s) responsible for carrying out the wishes contained within the will.</p> <p>If the person dies 'intestate', in other words without a will, their assets will be distributed according to the laws of intestacy. For more information see pages 7-8.</p>

Obtain the relevant documents (continued)

Grant of Probate (Certificate of Confirmation in Scotland)/ Letters of Administration*	<p>Probate means the proving of a will. A Grant of Probate is obtained by the named executors in a will from the court to confirm their right to deal with the affairs of a deceased person. It is sometimes called administering the estate. A Certificate of Confirmation is the Scottish equivalent of a Grant of Probate.</p> <p>If a person dies without a will (intestate), the next of kin or personal representative can apply to the court for a grant of Letters of Administration. This is an official document that names individuals as the administrators of the estate and gives them the right to administer the estate.</p> <p>The Society requires Grant of Probate (Certificate of Confirmation in Scotland)/ Letters of Administration if the total balance (in all of the accounts owned solely by the customer e.g. not joint, taking into consideration any accounts held with other banks/building societies) exceeds £15,000 or if the customer has a mortgage. If the total balance is less than £15,000 and the customer does not have a mortgage then a Statutory Declaration can be presented instead of a Grant of Probate, however, if a Grant of Probate has already been obtained this must be used.</p>
Statutory Declaration	<p>A Statutory Declaration is a written statement of fact that is signed in the presence of either a:</p> <ul style="list-style-type: none">• Solicitor• Notary Public• Justice of the Peace• Commissioner for Oaths <p>The Society will provide you with a Statutory Declaration form which must be completed and returned to the Society. A Statutory Declaration can be used instead of a Grant of Probate (Certificate of Confirmation in Scotland)/Letters of Administration if the total balance (in all of the accounts owned solely by the customer e.g. not joint, taking into consideration any accounts held with other banks/building societies) is between £500 and £15,000. There is normally a small fee to have a Statutory Declaration signed in the presence of a Solicitor/Notary Public/ Justice of the Peace/Commissioner for Oaths.</p>

*If the assets are with more than one financial provider these will need to be combined and presented in one document when applying for Grant of Probate (Certificate of Confirmation in Scotland) or Letters of Administration.

4. What happens to the account?

INSURANCE ACCOUNTS

For all insurance accounts we will need to see an original or certified copy of the death certificate.

Household Insurance

We will require information on the future occupation of the property.

If the policy is in joint names we will remove the deceased's name from the policy. If the policy is in the deceased's sole name the options available will be discussed; such as arranging a new policy for the new property owner; noting the executors' interest etc.

If the property is unoccupied we will discuss the changes to the cover and amend the existing policy.

Mortgage Payment Protection Insurance (MPPI)

If the policy is in joint names we will arrange for the deceased's name to be removed from the policy.

If the policy is in the deceased's sole name we will arrange for the policy to be cancelled.

Life Assurance

You will need to contact the Life company direct and they will advise you on how to make a claim.

MORTGAGE ACCOUNTS

For mortgage accounts, we will need to see an original or certified copy of the death certificate and Grant of Probate (Certificate of Confirmation in Scotland). Once you have obtained this documentation and it is established who will inherit the mortgaged property, we can discuss any future mortgage requirements.

In order to establish who will inherit the mortgaged property, the Society will look through the property deeds to see if the property is held as joint tenancy or tenancy in common.

INVESTMENT/CURRENT ACCOUNTS

Joint accounts

Once we have seen an original or certified copy of the death certificate we will remove the deceased's name from the account. The remaining account holder(s) can continue using the account.

Current account/ Savings account	The Visa debit card/Cashcards issued in the name of the deceased will be cancelled automatically once we have registered the customer as deceased. A new cheque book or passbook (if applicable) will be issued using the amended account title. No other changes will be made to the account, unless we are instructed by the remaining account holder(s).
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Sole accounts

Once we have seen an original or certified copy of the death certificate and have seen suitable identification for the Executors/Administrators/Personal Representatives, we will freeze the account until it can be closed and the funds released.

All accounts	The following items will be cancelled automatically once we have registered the customer as deceased: <ul style="list-style-type: none">- Direct debits- Standing orders- Internal transfers (unless this is to pay a Cumberland mortgage)- Visa debit cards/ Cashcards- Cheque books, including any cheques which have not yet been presented for payment- Passbooks <p>All sole accounts will remain open until the appropriate legal documents have been presented to the Society and instructions obtained from the Executors/ Administrators/Personal Representatives. Following receipt of the appropriate legal documentation, the account title will be amended to reflect the Executors, Administrators or Personal Representatives whilst the estate is being administered.</p> <p>Correspondence will be sent to the address requested by the Executors/ Administrators/Personal Representatives.</p>
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Trustee accounts

Any account(s) which the deceased held in trust does not form part of their estate. We will, however, require the Executor/Administrator/Personal Representative to confirm what should happen to the account.

Powers of Attorney

Any Powers of Attorney that were granted by the deceased will lapse upon their death. This means that the named Attorney will not have any rights to carry out transactions on the account following the death.

Releasing the funds

As a guide, the following documentation will be required to release the funds from a sole account.

- Original/certified copy of the death certificate
 - The name of the Personal Representative (who is responsible for dealing with the estate) and proof of their identity and address including:
 - UK passport, or
 - UK full or provisional photo driving licence
 - A recent utility bill
 - Confirmation that the estate is not the subject of a dispute
 - Declaration form (we will provide you with this)
- What we may also need:
- Original or certified copy of the will
 - Original copy of Grant of Probate (Certificate of Confirmation in Scotland)/ Letters of Administration or Statutory Declaration
 - A letter confirming renunciation if one or more of the named executors no longer wish to act and probate is not required
 - Original/certified copy of an executor's death certificate if a named executor is no longer alive and probate is not required

It is very difficult to estimate when the Society will be able to release the funds in an account, as this will largely depend on the monetary value of accounts held with us and the complexity of the affairs of the deceased. The following table shows what is needed before we can release the funds, and the estimated timescales associated with each:

Amount	Timescales
Less than £500	We require the Executors/Administrators/Personal Representatives to sign a declaration (the Society will provide you with this). Once this has been received we will release the funds as soon as possible (normally this is immediately, however it may take a few days).
£500 to £15,000	We require the Personal Representative to complete our statutory declaration form which will require a Solicitor/Notary Public/Justice of the Peace/Commissioner for Oaths' signature in order to release the funds. Once this has been given to us, we will release the funds as quickly as possible.
Over £15,000	We will need to see the Grant of Probate (Certificate of Confirmation in Scotland) or Letters of Administration; this may take some time to obtain. Once given to us, we will release the funds as quickly as possible.

Overdrawn accounts

If any of the accounts have an overdrawn balance, we will attempt to recover the balance using monies in another Cumberland account. If there are no other accounts, and the account remains overdrawn, the balance will need to be cleared from other assets within the estate.

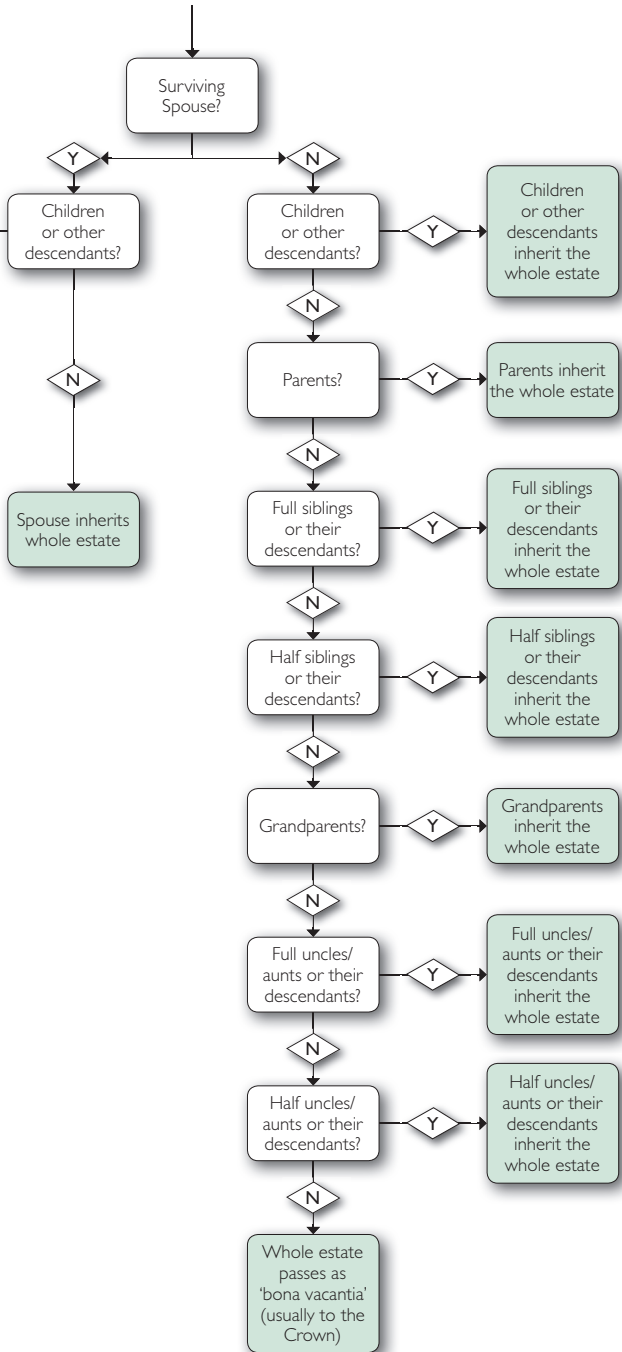
5. What happens if there is no will?

If someone dies without making a will or the will cannot be located, the deceased's estate is distributed according to the law of intestacy. This law determines how the estate is divided and shared and will vary depending on where the deceased person lived.

No Will England & Wales

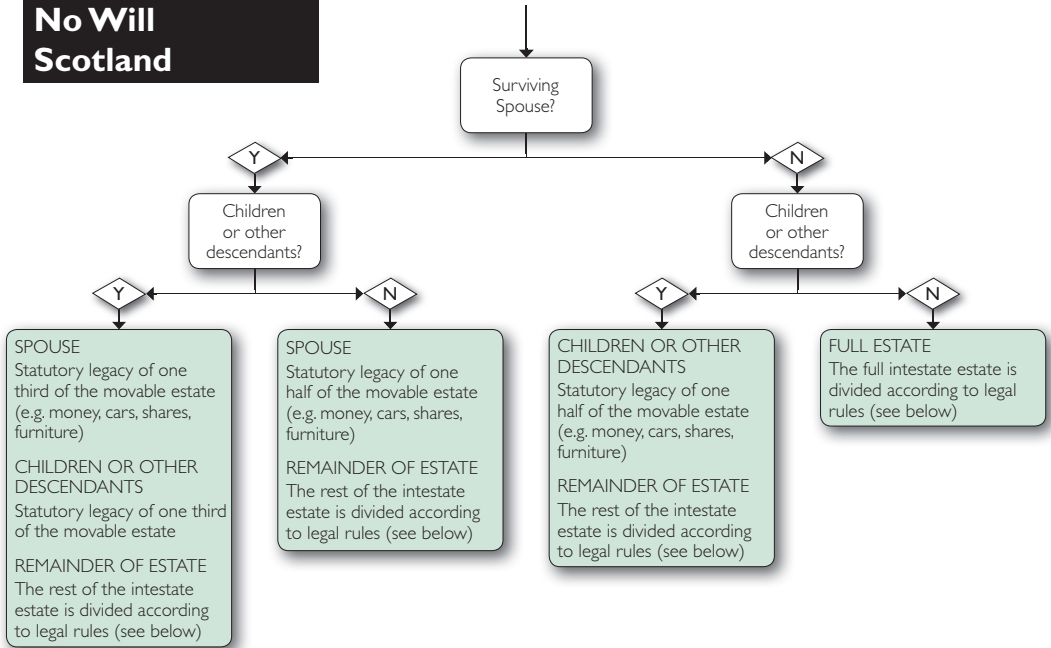
SPOUSE
Statutory legacy of up to £250,000
Half of anything that remains

CHILDREN OR OTHER DESCENDANTS
The other half of anything that remains

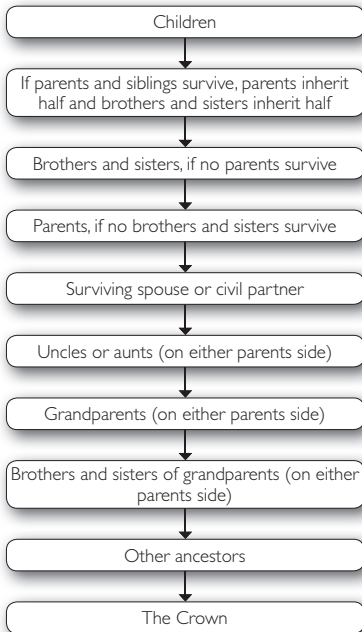


The above is correct as at October 2014, but is subject to change

No Will Scotland



Legal rules



After the above legal rights have been satisfied the rest of the intestate estate will be divided according to legal rules.

If anyone is left alive in one group no group further down the chart will inherit from the estate. For instance, if someone dies leaving children and one sister, the children only will inherit the remainder of the estate.

Ancestors of the intestate person more remote than grandparents (for example, great-grandparents) successively take the whole. This applies to both maternal and paternal ancestors. However, if no ancestors survive in any generation their brothers and sisters will inherit before ancestors of the next more remote generation.

If the executor cannot trace any of the deceased person's relatives in the categories above, the estate may pass to the Crown as 'ultimushaeres'. The person who acts for the Crown in this capacity in Scotland is the Queen's and Lord Treasurer's Remembrancer (QLTR).

6. Arrange the funeral

Most people choose to use a funeral director who will help with all the necessary decisions and arrangements. Sometimes people include funeral instructions in their will, so it may be worthwhile checking. You may wish to meet with more than one funeral director to ensure you are comfortable with their suggestions and that you trust them with something so important.

Many people find it difficult to cover the cost of a funeral, but help may be available from the Government. You can find advice on paying for funerals on the Government's website, details of which can be found on page 11.

Usually the assets of the person who has died are frozen until the estate is settled. However, the account funds can be used to pay towards the funeral bill. If you need access to the deceased's account funds to pay for funeral expenses, please discuss this with your local branch.

7. Contact any relevant parties

As well as informing family and friends, you will need to consider who else needs to know. This will include any organisations the deceased had a relationship with. To assist, we have prepared a list of the most common organisations, which you may find helpful:

- Solicitors
- Other Banks or Building Societies
- Credit card or store card providers
- Any other financial provider (for example, loan providers, hire purchase agreements, premium bonds)
- Insurance companies (for example, building and contents insurance, car insurance, life insurance)
- Utility companies (for example, electricity, gas, water; telephone, broadband)
- Employer or private pension provider
- Royal Mail
- Doctor/Dentist/Hospital/Library
- Government departments:
 - DVLA
 - Identity and Passport service
 - Tax Office (HMRC)

- Council housing office/Landlord/Housing association
- Any relevant benefit offices (for example, council tax, housing benefit, adult social services)
- Department of Work and Pensions (DWP)

Please note this list is not exhaustive, and should only be used as a guide.

8. Inheritance Tax

Depending on the value of the estate, you may be liable for Inheritance Tax. Inheritance Tax is determined as a percentage of the overall estate value. It is not always straight forward as there are a number of exemptions such as money/assets passing to a spouse, civil partner or charity.

For further information on Inheritance Tax visit the HMRC website, details of which can be found on page 11.

9. Additional Permitted Subscriptions

From late 2016, the Society will be supporting Additional Permitted Subscriptions, which is a one-off ISA allowance equal to the value of the deceased's ISA Savings. This allows ISA allowances to be passed to an existing customer when their spouse/civil partner has passed away. Please visit your local branch or contact our Customer Services Team if you require more information.

Glossary

There are many terms which you may come across when dealing with a bereavement. To help you understand everything you need to know, we have listed definitions for some of the more common terms:

Administrator

The person appointed to administer an estate where there is no valid will, or where the executor(s) is unable, or unwilling to act.

Attorney

A person appointed by another to act in his/her place.

Beneficiary

The person who is entitled to receive the funds or property from a will or intestacy.

Bona vacantia

Latin for 'ownerless goods'; this is a legal concept associated with assets that have no owner.

Capital Gains Tax (CGT)

CGT is a tax on capital 'gains'. If when you sell or give away an asset it has increased in value, the profit ('gain') may be taxable.

Certifying documentation

Copies of documentation can be certified by a regulated professional person, such as a solicitor, accountant or bank official.

Clearance certificate/certificate of discharge

A certificate now usually issued in letter format by HMRC releasing a person liable to inheritance tax from paying further.

Codicil

This is a written amendment within a will.

Commissioner for Oaths

This is a solicitor.

Deed of variation

This allows the individuals who receive funds or property from the will (beneficiaries) to change how the estate is distributed to reflect family circumstances and possibly save future inheritance tax.

Estate

The term that covers everything an individual owns, i.e. money, property and possessions.

Estate accounts

Accounts recording the financial transactions during the administration period.

Executor

This is the person, named in a will, who is to carry out the wishes contained in that will.

Inheritance tax

The tax that must be paid from the estate of a deceased person.

Intestacy

This term is used when a person dies without having made a valid will.

Joint Tenancy

This means that each person's interest in the property is not quantified; both own the property jointly and individually. If one of the person's were to die then the whole property automatically passes to the other person regardless of anything that is said in a will.

Lasting or enduring power of attorney

Enable you to set out your wishes in a legal document and to appoint trusted people as 'attorneys' to oversee them.

Lasting power of attorney replaced the enduring power of attorney from 1 October 2007.

Letters of administration with will annexed

If the deceased left a will but did not appoint an executor or if the named executor is unable to carry out the duty then the grant of probate is called 'letters of administration with will annexed'.

Personal representative

The person responsible for dealing with the estate of a person who has died, i.e. either the executor or the administrator.

Power of attorney

Formal deed by which one person appoints another to act/represent on his/her behalf.

Tenancy in common

This means that a person's interest in the property is fixed and separate. If one of the person's were to die, their share in the property could be passed onto someone else entitled to it under their will.

Trustee

The person who is holding assets on trust.

Useful websites

Age UK

www.ageuk.org.uk

Bereavement Register

(to help reduce direct mail being sent to the address of a person who has died)

www.the-bereavement-register.org.uk

Child Bereavement Charity

www.childbereavement.org.uk

Citizens Advice Bureau

www.adviceguide.org.uk

Cruse Bereavement Care

www.cruse.org.uk

Department for Work and Pensions (benefits and grants available)

www.dwp.gov.uk

Foreign and Commonwealth Office

www.gov.uk/government/organisations/foreign-commonwealth-office

Government Services and Advice (England & Wales)

www.gov.uk

Government Services and Advice (Scotland)

www.scotland.gov.uk/publications

HM Revenue & Customs (HMRC)

(advice on managing an estate with implications such as tax, trusts and benefits)

www.hmrc.gov.uk/inheritancetax/index.htm

Law Society

www.hmrc.gov.uk/inheritancetax/index.htm

Lost Accounts

www.mylostaccount.org.uk

Money Advice Service

www.moneyadviceservice.org.uk

National Association of Widows

www.widows.uk.net

Register Offices

www.gov.uk/register-offices

Tell Us Once

(to arrange multiple governmental affairs in one go)

www.gov.uk/tell-us-once

The Probate Service

www.justice.gov.uk/courts/probate

The Samaritans

www.samaritans.org

Cumberland Building Society
Cumberland House, Cooper Way, Parkhouse, Carlisle, CA3 0JF
Phone: 01228 403141
customerservice@cumberland.co.uk
www.cumberland.co.uk

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