



# What To Do When Someone Dies

A guide to help you with the next steps

## What To Do When Someone Dies

Experiencing the loss of a loved one is profoundly challenging, and managing the practical aspects of their passing can often feel daunting. It is important to approach this journey at your own pace. Grief is a deeply personal experience, and while there are essential legal and administrative responsibilities, prioritising your well-being is equally vital.

Do not hesitate to lean on those around you—family, friends, or professional advisors. If you find yourself struggling emotionally, consider seeking bereavement support. Expressing your feelings can alleviate the burden.

This guide provides an overview of what to do following a death, from immediate steps to the finalisation of the estate.

For further information, please reach out to a member of the James McKenzie team for assistance.



# Immediate Steps After a Death

## Register a Death

The death must be registered within 5 days in England, Wales, and Northern Ireland; 8 days within Scotland; and 3 months within the Republic of Ireland. Obtain the official death certificate and request multiple copies. See further information below.

## Notify Government Organisations

This is also known as the "Tell Us Once" service. Many registrars offer this service, which allows you to inform multiple government departments (e.g. DWP, HMRC, and the local council) about the death in one step. You'll receive a unique reference number to complete this process online or over the phone.

## Arrange the Funeral

Plan and organise the funeral according to any wishes expressed by the deceased in the Will, or the deceased's Memorandum of Wishes, or the wishes of the deceased's loved ones



# Steps to Register a Death

## 1

### Obtain a Medical Certificate of Cause of Death (MCCD)

- This certificate is issued by a doctor who treated the deceased prior to their death.
- If the death is unexpected or requires investigation, the coroner may need to issue the appropriate paperwork before you can register the death.

## 2

### Locate the Local Register Office

- The death must be registered at a register office in the district where the death occurred.
- You can search for your local register office online through the UK Government's website.

## 3

### Make an Appointment

- Contact the register office to book an appointment. Many offices now allow online booking.

## 4

### Attend the Appointment with the Required Information

At the appointment, you'll need to provide:

Details about the deceased:

- Full name (including maiden name, if applicable).
- Date and place of birth.
- Date and place of death.
- Last known address.
- Occupation and marital/civil partnership status.

Details about a surviving spouse or civil partner:

- Their full name.
- Occupation.
- Date of birth.

## 5

### Documents to Bring

- Medical Certificate of Cause of Death (MCCD).
- Birth and marriage/civil partnership certificates (optional but helpful).
- NHS medical card or number (if known).

# Estate Administration and the Probate Process

Managing an estate may appear simple at first glance, but it can be intricate and lengthy, especially for high-value estates or those facing taxation.

Executors bear personal responsibility for their decisions, so precision and adherence to regulations are crucial. It's often wise to seek professional guidance to ensure everything is processed correctly.

## Death Certificate

The registrar will issue a death certificate. You can purchase additional certified copies, which is recommended if you are dealing with multiple companies, e.g.: banks, insurance providers, and legal professionals.

## Certificate for Burial or Cremation (Green Form)

This document allows the funeral to take place. It will be given to you unless the coroner has been involved.

## Arrange the Funeral

You will receive a form (BD8 or equivalent) to notify the Department for Work and Pensions (DWP) about the death.

# 1

## Understand the Estate and Identify Responsibility

- The estate includes all assets left by the deceased.
- If there is a Will, the named "Executor" is responsible for managing the estate.
- If there is no Will, the law determines who acts as the "Administrator."

# 2

## Gather Estate Information

- Compile details about the deceased's assets, such as: property, bank accounts, and investments.
- Identify liabilities, including: mortgages, loans, and credit card debts.

# 3

## Apply for Probate

- A grant of probate is a legal document confirming the Executor's authority to manage the estate.
- It is typically required for property ownership, significant investments, or large bank balances.

# 4

## Determine Inheritance Tax (IHT) Obligations

- Assess whether IHT is payable. This depends on the estate's value, the beneficiaries, and the nature of the assets.
- IHT must be paid within six months of the death. Professional advice is highly recommended for calculating and managing IHT.

# 5

## Submit Required Documentation

- Prepare a detailed tax return (IHT400) and submit it to HM Revenue & Customs (HMRC).
- Apply for the grant of probate by submitting the Will and associated forms to the probate court.

# 6

## Manage the Estate

- Once probate has been granted, the Executor collects the assets, pays liabilities, and settles any additional taxes, such as: Income Tax or Capital Gains Tax.

# 7

## Distribute the Estate

- After all debts and taxes are paid, the Executor distributes the remaining assets to the beneficiaries as outlined in the Will.