

## Bereavement Advice

Help and  
understanding from  
Bank of Scotland.

 **BANK OF SCOTLAND**

# We're here to help.

When somebody close to you has died, doing paperwork is probably the last thing on your mind. But there will, inevitably, be things you have to take care of. This booklet is designed to help make those matters as easy as possible. We have a specialist service available so that you can always speak to people who understand your circumstances, can explain things in a straightforward way and make our official dealings with you as informal and easy as possible.

## Expert Bereavement Advice

This team is at the end of the telephone to answer any questions you may have about all the practical things to be done after a death, such as how to register the death, funeral arrangements, whether or not you will need to obtain probate and how to go about it, entitlement to benefits, what happens if the death was overseas and lots more, such as where to find bereavement support. If you ask us a question we will do our very best to answer it or tell you who is the right person to talk to and how to contact them. We can also take action to help prevent direct (junk) mail coming to the person who has died.

If you need to speak to us about accounts held with us, we recommend you make an appointment to speak to one of our bereavement specialists in branch by calling us on one of the Customer Helpline numbers below. They can offer advice about your accounts and answer any questions you may have.

For bank account customers  
Call **0845 7 21 31 41**

For savings account customers  
Call **0845 6 02 03 04**  
Lines are open 24 hours a day, 7 days a week.

## Expert Bereavement Advice

Call **0800 970 4322**

Monday to Friday 9am - 5pm

Calls may be monitored and recorded in case we need to check we have carried out your instructions correctly and to help us improve our quality of service.

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# Who is who?

## Registrar of Deaths

This is the person who registers the death using the medical certificate of cause of death from the doctor or a document from the coroner.

The registrar issues certified copies of the death certificate which are the documents you need to legally prove that the death has occurred; there may be a fee for this. It's a good idea to get a few copies of the death certificate as these will be needed to inform banks and insurance companies.

If you have not already been told where to go to register the death or what documents and information you need to take with you, please call our Expert Bereavement Advice helpline for assistance.

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## Coroner

In certain circumstances a death has to be investigated by a coroner. This normally creates a delay of a day or two before the death can be registered, and the coroner supplies the paperwork to the registrar – rather than a doctor giving you a medical certificate. If there is going to be an inquest the coroner will issue an interim certificate, which will allow dealings with the estate to begin.

## Scottish Law

The law in Scotland is different to that in England and Wales. The registrar role is similar but deaths are investigated by a procurator fiscal and some cases may undergo a fatal accident enquiry in front of a sheriff. The death certificate can be obtained from the registrar at an early stage for all deaths in Scotland as a medical certificate is issued irrespective of the circumstances of death.

# Wills, executors and administrators...

## If there's a Will

If the person who has died leaves a Will, the person or people named as executors act as personal representatives of the person who has died and take legal responsibility for carrying out the instructions in the Will, and dealing with the money and property, known as the estate.

In Scotland the personal representatives are known as executor-nominate when there is a Will.

## If there isn't a Will

If the person who has died didn't leave a Will this is called intestate.

The law sets out who should inherit the estate. You may need to apply for authority to be the administrator of the estate. The administrators will act as personal representatives of the person who has died and take legal responsibility of the estate.

In Scotland the personal representatives are known as executor-dative when there isn't a Will.

## Executor or administrator

As executor or administrator (executor nominate or dative in Scotland) you may have responsibility for one or more of the following:

- Registration of the death.
- Arranging the funeral service.
- Paying urgent expenses, i.e. funeral costs.
- Obtaining legal documents (grants).
- Informing financial institutions – banks, insurance companies, pensions.
- Listing all the assets and liabilities of the estate.
- Paying any tax liabilities, i.e. inheritance tax.
- Appointing trustees if required for beneficiaries of the Will.

This may seem a little daunting at the moment, so don't be afraid of asking for help – you can call us whenever you need advice or support.

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# Arranging the funeral and paying urgent expenses...

## Arranging the funeral

Most bereaved families choose to use a funeral director to make the funeral arrangements, although this is not mandatory. You can call our Expert Bereavement Advice team to find a funeral director in your area. We will only search for members of the National Association of Funeral Directors (NAFD) [www.nafd.org.uk](http://www.nafd.org.uk) or the National Association of Allied and Independent Funeral Directors (SAIF) [www.saif.org.uk](http://www.saif.org.uk) as their members have to adhere to codes of conduct in what is an unregulated occupation. We recommend checking any funeral director is a member of one or both of these organisations as they have complaint procedures for those rare cases when something has gone wrong.

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## Paying urgent expenses

We understand that the next few weeks will be difficult, dealing with funeral arrangements and arranging legal paperwork, and you may have some bills that need paying before you can get all the legal documents required for administering the estate.

If the person who has died held an account with us, then we may be able to help by arranging a cheque payment.

If the funds in the accounts are enough to cover all or part of the expenses we'll arrange a cheque made out to the person or organisation named on the invoice. We'll normally send the cheque direct to them, but you can ask us to send it to you.

You can ask us to pay the following before all the legal paperwork is sorted out:

- Funeral expenses – payable to Funeral Director/supplier.
- Inheritance Tax – payable to HM Revenue & Customs.
- Probate fees – payable to HM Courts Service.
- Confirmation fees – payable to The Scottish Court Service.

If this is the case we may need you to put in writing who needs to be paid, whether you have or intend to apply for a Grant of Representation or Confirmation and the original invoice.

If you want to check if we can pay a bill from an account held with us or need some help, before writing a letter please call us on one of the numbers below, or visit your local branch.

For bank account customers

Call **0845 7 21 31 41**

For savings account customers

Call **0845 6 02 03 04**

Lines are open 24 hours a day, 7 days a week.

# What is Grant of Probate or Confirmation?

## Probate

A Grant of Probate is a document issued by a Probate Registry after they have received the necessary application forms and they have assured themselves that the Will is valid and that any taxes due have been paid.

Probate is the process of dealing with the deceased person's estate and carrying out their instructions. The responsibilities include making sure all taxes and any debts are paid before any money can be given to beneficiaries (the people nominated to benefit from the Will) and that in general the estate is managed in a way that best serves the beneficiaries.

The entire process includes identifying what is in the estate and its value, completing the necessary application forms for both the probate registry and Her Majesty's Revenue and Customs, gathering in the assets including dealing with any property, paying the liabilities (debts) and completing the legal processes to cover you against late claims in the estate.

The same application process has to be made by the administrator of an intestate estate, where there is no Will. The grant issued in this situation is called Letters of Administration. If there is a Will but no executor for any reason, the grant is called Letters of Administration with Will annexed.

Collectively both executors and administrators are termed personal representatives.

## Confirmation

The laws relating to inheritance and property in Scotland are very different to other parts of the United Kingdom apart from the taxes that need to be paid on estates. The equivalent process to probate in Scotland is called confirmation.

A small estate i.e. an estate with a total value of less than £30,000 can be dealt with by private individuals. The necessary forms can be obtained from the Sheriff Clerk's office and the staff there will assist personal applicants for confirmation once all the information needed has been gathered. If the estate is larger than £30,000 and, especially if a property is involved, we recommend the use of a solicitor. The Expert Bereavement Advice helpline can find a local solicitor for you and give you the contact details for your local Sheriff Clerk's service.

Personal representatives are an executor-nominate if there is a Will (testate) and an executor-dative if no Will has been left (intestate).

# When is Probate needed?

This will depend on the value of the estate, and in the case of a property, how it was owned.

In law anyone who holds an asset, for example, banks or investment companies, can require to see a Grant of Probate or equivalent for any asset. A Grant may also be needed to transfer the ownership of a property depending on how the property title is held.

Many banks have discretionary thresholds where they will allow accounts to be dealt with in the absence of a grant.

## Getting help and advice

Every estate is different but we can help. You can telephone our Expert Bereavement Advice helpline to discuss the estate for which you are responsible. Just by asking you a few questions we will be able to tell you whether or not this is something you need to be concerned about.

### Expert Bereavement Advice

Call **0800 970 4322**

Monday to Friday 9am - 5pm

Some people who are confident with legal and financial matters decide to carry out probate themselves where it is required and others choose to use professionals, such as solicitors or probate service providers.

# Our Probate Service.

We can put you in touch with our Probate Service, which we provide in partnership with ITC Legal Services, the largest probate provider in the UK. You'll get help and support every step of the way; they'll do all the legal and administrative work and explain everything simply, avoiding any jargon. You will be kept informed throughout the process and will be looked after by your own case manager.

Our Probate Service is competitively priced with easy-to-understand fixed fees.

We can come and see you in your own home to let you know how we can help. You'll be under no obligation whatsoever. If you'd like us to come and see you, please feel free to call and chat things through over the phone.

## Probate Service Helpline

Call **0800 970 4321**

Monday to Friday 9am - 5pm

Please note we are currently unable to offer the probate service in Scotland or Northern Ireland, however, the Expert Bereavement Advice team can search for a local solicitor for you in these countries.

# Inheritance Tax – IHT.

Depending on the size of the estate and who the beneficiaries are there may be a liability to pay Inheritance Tax.

Inheritance Tax can be complicated but there are several ways we can help you. For general information, for example, current rates or what is an asset, you can call our Expert Bereavement Advice helpline.

## Expert Bereavement Advice

Call **0800 970 4322**

Monday to Friday 9am – 5pm

Or you can contact your local tax office directly or visit the HMRC website at [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

If you want assistance regarding an Inheritance Tax liability then one of our financial advisers may be able to help. To make an appointment to see a financial adviser at your local branch, call **0845 600 0845**.

## Sorting out the finances.

Most of us have lots of different financial products like savings accounts, insurance policies and investments. When someone dies you'll need to get in touch with the bank or building society for each account and let them know. They'll tell you what you need to do next, and explain if they need to see any documents like the death certificate.

You can normally find a bank or building society's phone number on any recent correspondence they've sent out. Usually, the relevant account or policy number will be on there too.

The person who died could well have had lots of accounts with the same company. However, different offices across the UK could deal with different accounts, and you may need to get in touch with each one of them.

Once you've spoken to a bank or building society they should write to you to confirm the details and let you know what paperwork they need to see.

It may help to use the following checklist to ensure you have thought about all the different types of accounts that could be held.

- Current/Card account
- Credit card
- Store card
- Personal loans
- Car loan/Finance
- Savings accounts
- Mortgage account
- Car insurance
- House insurance
- Life insurance
- Investments
- Pensions
- Shares
- Premium Bonds.

# Sorting out accounts held with us.

You may have called into a branch or telephoned to tell us that someone has died, however we will need this to be confirmed – this can be done by providing the death/interim death certificate. We also need to know who will be the personal representatives for the person who's died, and we need them to provide identification. To make things easier when you come and see us, please bring along all the documents we may need:

- Two forms of identification for each claimant, one showing your name and one showing your address.
- A certified copy of the Death Certificate (issued by the registrar of deaths) or a coroner's interim certificate.
- Any relevant passbooks, cards and chequebooks.
- Any Grant of Probate/Letters of Administration/Confirmation if available, otherwise a copy of the Will if there is one.

If you're unsure of what we need or if you want to make an appointment to see someone face to face at your local branch then please call our Customer Helplines.

For bank account customers  
Call **0845 7 21 31 41**

For savings account customers  
Call **0845 6 02 03 04**

Lines are open 24 hours a day, 7 days a week.

## Life assurance, pensions, investments and savings plans

If the person who has died held any of these financial products with us, please call the phone number on the policy, plan, statements or letters.

Different policies and plans could have different telephone numbers as they are administered through different offices depending on what they are. When you call please have the plan or policy number and the full name of the person who has died. The plan/policy number begins with a 14/, 47/, 61/ or 78/ and should be available on any documents we have issued.

## Our insurance policies

Insurance taken out in the name of the deceased become invalid at death. It is usually possible to transfer a policy to the name of a personal representative while the estate is being dealt with.

Halifax Home Insurance  
(buildings and contents) **0845 600 6001**

Halifax Car Insurance **0845 605 7757**

Mortgage Protection  
(TMPP) Life Cover **0845 600 6007**

## Financial advice

Some people are concerned about how they will cope with the finances after the death of a partner or other close family member or you may be due to receive an inheritance from someone who has died and you want some advice. Our financial advisers can help at these times by giving you advice and helping you to understand the products we offer. To arrange an appointment with a financial adviser, at a local branch, call **0845 600 0845**.

# Your questions answered.

## **Can I take money out of a joint account?**

If you are one of the named account holders then in most cases you will be able to continue withdrawing money in the normal way; we'll let you know if you can't.

## **What happens to standing orders and Direct Debits?**

We will cancel all payments from a sole named account where the account holder has died; on joint accounts these payments can continue.

## **What happens to the mortgage?**

If the mortgage was in the sole name of the person who has died, we will need to speak to the executor/administrator; if it is in joint names then we need to speak to the executor/administrator and the surviving party to the mortgage (this may be the same person). If the mortgage has already been repaid then we may still hold the property deeds – please ask us to check for you.

## **What happens to an outstanding personal loan?**

If the loan is protected with insurance then we will let you know how to make a claim. If it is not covered, then the debt will need to be repaid from the estate. If the loan was in joint names the surviving account holder can continue making monthly repayments or pay the loan off in full.

## **What happens to the credit card?**

If there is an amount owing on the account, this will have to be repaid by the estate. If the credit card is covered by credit card repayment insurance we'll let you know how to make a claim, and advise you what to do with the cards.

## **What about tax-free savings and investments, and accounts registered for gross interest?**

All tax-free benefits stop on the date the account holder dies.

## **What happens if someone died abroad?**

For general information about registration, repatriation and probate please call our Expert Bereavement Advice helpline, on **0800 970 4322**, lines are open Monday to Friday 9am to 5pm.

For information relating specifically to our accounts please call our Customer Helplines.

For bank account customers  
Call **0845 7 21 31 41**

For savings account customers  
Call **0845 6 02 03 04**  
Lines are open 24 hours a day, 7 days a week.

# Glossary.

We've tried not to use too much jargon in this booklet, but, when it comes to talking about Wills, some legal words and phrases are unavoidable. Here are some of the main ones you'll come across.

## **Administrator (Executor Dative in Scotland)**

The personal representatives of a deceased person who has died without a Will, for the purpose of administering the estate.

## **Beneficiary**

A person entitled to receive funds or property under a Will or intestacy

## **Certificate of Confirmation**

In Scotland if you want to show that you have the right to take charge of the estate, you'll need to get Confirmation.

## **Claimant**

The person dealing with the bank on behalf of the legal representative.

## **Death Certificate**

This is a certified copy of the entry in the death register.

## **Estate**

All the assets and liabilities of a deceased person – such as property, shares, cash, savings and investments as well as outstanding debts.

## **Executor (Executor Nominated in Scotland)**

A person appointed by a Will to administer the estate.

## **Grant of Representation**

This is obtained from the Probate Registry (Sheriff Court in Scotland) following a death. This document is called a **Grant of Probate (Grant of Confirmation** in Scotland) where there is a Will and a **Grant of Letters of Administration** where there is no Will.

## **Inheritance Tax (IHT)**

The tax paid by estates over a certain value.

## **Intestate (Intestacy)**

A person who has died without making a Will.

## **Liabilities**

Any outstanding debts or obligations, which the person who has died leaves behind.

## **Personal Representative**

An executor or administrator.

## **Will**

A legal document written by the person who has died that explains what they want to happen to their estate.

# Getting in touch with us.

If you're sorting out accounts held with us, you should find all the addresses and phone numbers you need on this page. If you need any other details, please call our Customer Helplines.

## Customer Helplines

Telephone: 0845 7 21 31 41 for bank account customers or 0845 6 02 03 04 for savings customers. Lines are open 24 hours a day, 7 days a week.

## Expert Bereavement Advice

Telephone: 0800 970 4322  
Lines are open from:  
Mon - Fri 9am to 5pm.

## Halifax Car Insurance

Customer Services, Halifax Car Insurance, The Equinox, 19 Cadogan Street, Glasgow, G2 6QQ  
Telephone: 0845 605 7757

## Halifax financial adviser appointments

Telephone: 0845 600 0845

## Halifax Financial Services Administration

Centre - Aylesbury  
PO Box 30000, 15 Dalkeith Road, Edinburgh, EH16 9AT  
Telephone: 0870 901 0137

## Halifax Financial Services Administration Centre - York

PO Box 285, York YO90 1HX  
Telephone: 01904 611110

## Halifax General Insurance

PO Box 318, Halifax HX1 2RG  
Telephone: 0845 600 6001

## Halifax Insurance Ireland Ltd

TMPP Life Insurance Claims Unit, Dromore House, East Park, Shannon, Co Clare  
Telephone: 0845 600 6007

## Halifax Probate Service

Telephone: 0800 970 4321  
Lines are open from:  
Mon - Fri 9am to 5pm

## Halifax Share Dealing

Trinity Road, Halifax HX1 2RG  
Telephone: 08457 22 55 25

## Lloyds Banking Group Share ISA (formerly HBOS Share ISA/PEP)

Halifax Investment Services Limited BNY, Mellon House, Ingrave Road, Brentwood, Essex CM15 8TG  
Telephone: 0870 606 6417

## Lloyds Banking Group Shares

Equiniti Limited, Aspect House, Spencer Road, Lancing, West Sussex BN99 6DA.  
Telephone: 0871 384 2990.

## Over 50's Life Plan

Halifax Financial Services  
PO Box 966, St Albans, AL1 9HX  
Telephone: 0845 608 0390  
Lines open Mon-Fri 9am - 5.30pm

## Scottish Widows

PO Box 902, 15 Dalkeith Road, Edinburgh, EH16 5BU  
Telephone: 0870 909 0909

**Calls may be monitored and recorded in case we need to check we have carried out your instructions correctly and to help us improve our quality of service.**

Please note further confirmation of death may be requested in addition to what has been provided in branch.

# Do you need extra help?

We're here to help any way we can. If you have a hearing or speech impairment you can use Tynetalk whenever you contact us, or you can use Textphone on **0845 603 1393**. The lines are open Monday to Friday 8am - 10pm, Saturday 8.30am - 6pm and Sunday 9.30am - 5.30pm. We can also provide documents in large print, Braille, on audio cassette or CD if you need them. Please ask a member of staff if you'd like to know more.

## Customer service

We do all we can to give you the very best service. But sometimes things can go wrong. If you ever have a complaint or a problem, we'd really like to know. You can talk to us in branch or call our customer complaints helpline on **08457 25 35 19**.

If you do make a complaint but feel we haven't done enough to resolve it you can also contact the Financial Ombudsman Service. Please ask us in branch if you'd like a copy of our complaints procedure.



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