



Department for
Communities
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Reforms of the Social Fund's Funeral Expenses Payments Scheme

Public consultation

July 2017

Contents

- Introduction3
 - About this consultation 3
- How we consult.....5
 - Consultation principles 5
 - Feedback on the consultation process..... 5
 - Freedom of information 6
- Overview.....7
 - Background..... 7
- What we would like your views on.....7
 - Contributions from charities, friends and relatives.....7
 - Exceptions for people living in care homes.....8
 - Extending the claim period from three to six months.....8
 - Shorter application forms for children’s funerals.....9
 - Clarifying exclusive rights of burial..... 9
 - Electronic submission of evidence 10
- List of Consultation Questions 11

1. Introduction

This consultation sets out our plans to reform the Funeral Expenses Payments scheme, and asks for feedback on the changes. The package of reforms is largely focused on clarifying issues around eligibility and making the process for claiming Funeral Expenses Payments simpler.

2. About this consultation

2.1 Who this consultation is aimed at

All members of the general public are welcome to respond to this consultation but we would particularly value views from those who have experienced bereavement, and those who have accessed the Funeral Expenses Payments scheme in the past. We would encourage groups and organisations that are involved in the funeral industry, or in supporting bereaved people, to participate.

2.2 Purpose of the consultation

It is important for us to gather the views of key stakeholders who are most likely to be affected by this package of reforms. The consultation responses that we receive will contribute to final decision making on whether to pursue these reforms in legislation.

2.3 Scope of consultation

This consultation applies to Northern Ireland. An equivalent consultation is being carried out in England, Wales and Scotland by the Department for Work and Pensions.

2.4 Duration of the consultation

The consultation period begins on **24 July 2017** and runs until **15 September 2017**.

2.5 How to respond to this consultation

Please email your consultation responses to:

sspld@communities-ni.gov.uk

or alternatively, write to:

Consultation Co-ordinator

Social Security Policy and Legislation Division

Department for Communities

Level 8, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG

Please ensure your response reaches us by **15 September 2017**.

When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of members were assembled. We will acknowledge your response.

2.6 Consultation response

We will consider the responses received and publish the consultation report on the Departmental website.

In line with good practice and sustainable development this document has been published electronically.

3. How we consult

3.1 Consultation principles

This consultation is being conducted in line with the Fresh Start Agreement – (Appendix F6 - *Eight Steps to Good Practice in Public Consultation-Engagement*). These eight steps give clear guidance to Northern Ireland departments on conducting consultations.

3.2 Feedback on the consultation process

We value your feedback on how well we consult. If you have any comments about the consultation process (as opposed to comments about the issues which are the subject of the consultation), including if you feel that the consultation does not adhere to the values expressed in the *Eight Steps to Good Practice in Public Consultation-Engagement* or that the process could be improved, please address them to:

Consultation Co-ordinator

Social Security Policy and Legislation Division

Department for Communities

Level 8, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG

Email: sspld@communities-ni.gov.uk

3.3 Freedom of information

The information you send us may need to be passed to colleagues within the Department for Communities in Northern Ireland (“the Department”).

Following the end of the consultation we shall publish a summary of responses received. Information provided in response to our consultations, including personal information, may be disclosed in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998. If you want the information that you provide to be treated as confidential please tell us, but be aware that we cannot guarantee confidentiality.

To find out more about the general principles of Freedom of Information and how it is applied within the Department, please contact Information Management Branch (IMB):

Email: foi@communities-ni.gsi.gov.uk

IMB cannot advise on specific consultation exercises, only on Freedom of Information issues. Read more information about the [Freedom of Information Act](#).

4. Overview

This package of reforms is designed to clarify issues around eligibility and make the process for claiming Funeral Expenses Payments simpler. Funeral Expenses Payments will be referred to as funeral payments for the rest of this consultation.

4.1 Background

The Social Fund can help people when they are living on a tight budget and sometimes need extra help. People may be able to get help from the Social Fund for important costs that are hard to pay for out of their regular income such as furniture and household items. The Social Fund can also help with maternity expenses, funeral expenses and extra heating costs incurred during periods of cold weather.

5. What we would like your views on

5.1 Contributions from charities, friends and relatives

We ask applicants for Funeral Expenses Payments to declare any contributions towards the costs of the funeral that they have received from charities, friends and relatives. Under the current regulations we then deduct the value of these contributions from the funeral payment made, regardless of the total cost of the funeral.

It is now proposed to allow recipients to receive additional contributions from charities, friends and relatives towards the cost of a funeral without these contributions being deducted from the size of their funeral payment. This is because we recognise that the total cost of a funeral is often larger than the

value of a funeral payment, and contributions from others can help recipients to meet the costs of the funeral.

Question 1 – Do you agree recipients of funeral payments should be allowed to receive additional contributions towards the cost of a funeral from charities, friends and relatives without these contributions being deducted from the value of the funeral payment awarded?

5.2 Exceptions for people living in care homes

To be awarded a funeral payment an applicant must be the responsible person for organising the funeral of the deceased. The applicant will not receive a funeral payment if the deceased has another immediate relative who is not currently receiving qualifying benefits from DfC.

In a small number of cases, applicants have been denied a funeral payment because the deceased had another immediate relative, but this relative is in a care home and receiving funding from their local Health & Social Care (HSC) Trust therefore not receiving a qualifying benefit from DfC. Under the current regulations the Department would assign this relative the responsibility of funding the funeral, despite the fact that they are in a care home and receiving income-assessed funding from their local HSC Trust and therefore unlikely to be able to pay for the funeral.

We propose making exceptions for people living in care establishments who receive income-assessed financial support from their local HSC Trust, towards all or part of their care fees, and not assigning them the responsible person status. This does not mean that they would be eligible for a funeral payment, but it does mean that they would not make their relatives ineligible.

Question 2 – Do you agree that we should not assign the responsible person status to people living in care establishments who receive income-assessed help from the local HSC Trust with their care fees, in place of an applicant who would otherwise be eligible for a funeral payment?

5.3 Extending the claim period from 3 to 6 months

Currently applicants must submit their application for a funeral payment within 3 months of the date of the funeral. If they do not submit an application within this period then their claim is rejected regardless of the circumstances.

We propose extending the period in which applicants can claim funeral payments from 3 months to 6 months to recognise that the period following bereavement is a particularly difficult time, and some applicants may need longer to submit their applications. This is particularly true of people who require assistance to submit their application, or who need more time to find out relevant details of the deceased such as their National Insurance number.

Question 3 – Do you agree that we should extend the application period to claim funeral payments from 3 months to 6 months?

5.4 Shorter application forms for children’s funerals

The funeral payments application form was revised in November 2016 to remove unnecessary questions, but it is still 22 pages long because of the amount of information we need in order to confirm a claimant’s eligibility. The majority of these questions do not apply in the case of a child’s funeral because it is easier to establish who the responsible person for the funeral is.

We propose launching an alternative shorter application form for funeral payment claims for a child’s funeral. This is to reduce undue stress on the responsible person making the claim in relation to the death of a child aged 17 or below.

Applicants will continue to be able to use our telephony service to make their claims more quickly and one of our specially trained advisers will continue to be able to complete the form on their behalf.

Question 4 – Do you support the launch of a shorter application form for claims relating to children’s funerals?

5.5 Clarifying exclusive rights of burial

Terminology in the current regulations has led to some confusion about what funeral payments cover as the necessary costs of a funeral. The use of the phrase 'exclusive rights of burial' in regards to a burial plot means that we only pay for the burial plots which have been granted exclusively to a single owner. This can be an issue if people opt for a burial plots that are non-exclusive, where other people can be buried inside them by the landowner. We want to ensure that we are covering the costs of these burials as necessary too.

We propose clarifying in the regulations that we will cover the cost of a burial plot with or without associated exclusive rights or burial, to ensure funeral payments cover the necessary costs of burials in both instances.

Question 5 – Do you agree that we should clarify that funeral payments will pay for the necessary costs of a burial with or without exclusive rights of burial?

5.6 Electronic submission of evidence

The current regulations do not allow applicants to submit supporting evidence for their applications electronically. This is an issue because funeral directors need to submit their invoices to us to process the payment owed to them or the funeral payment's applicant. Submitting invoices by post can cause undue delay, and allowing invoices to be submitted by email directly to our processing team could considerably speed up the process.

Question 6 – Do you agree that applicants and funeral directors should be able to submit evidence electronically to support a claim for funeral payments?

6. List of Consultation Questions

Question 1 – Do you agree recipients of funeral payments should be allowed to receive additional contributions towards the cost of a funeral from charities, friends and relatives without these contributions being deducted from the value of the funeral payment awarded?

Question 2 – Do you agree that we should not assign the responsible person status to people living in care establishments who receive income-assessed help from the local HSC Trust with their care fees, in place of an applicant who would otherwise be eligible for a funeral payment?

Question 3 – Do you agree that we should extend the application period to claim funeral payments from 3 months to 6 months?

Question 4 – Do you support the launch of a shorter application form for claims relating to children’s funerals?

Question 5 – Do you agree that we should clarify that funeral payments will pay for the necessary costs of a burial with or without exclusive rights of burial?

Question 6 – Do you agree that applicants and funeral directors should be able to submit evidence electronically to support a claim for funeral payments?

Accessibility

A range of alternative formats are available upon request from this Department.

Please contact the Department at:

sspld@communities-ni.gov.uk

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