



Department  
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*From Nadine Dorries MP  
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Dear Mary,

Thank you for your email of 8 March regarding Sudden's Bereavement Charter, and please also pass on my thanks to all the signatories of the Charter for their input into this important initiative.

I have set out in an annex to this letter Government's initial response to some of the areas highlighted in the Bereavement Charter. We know there is still progress to be made, and we are committed to continue working with Sudden and all of the Charter's signatories to ensure the needs of people bereaved unexpectedly are met.

I fully agree that we should live in a society that recognises the personal impact of a sudden bereavement, and we all have a role to play in making this a reality. The Government is taking a cross-Whitehall approach to ensure that bereavement support and services are available to all that need it.

Since March 2020, the Government has given over £10.2 million to mental health charities, including bereavement support charities, to support adults and children during the pandemic. The Government is committed to improving access to support from bereavement specialists and helping to signpost to and raise awareness of bereavement services, such as Sudden and other signatories.

Thank you again for sharing the Bereavement Charter with me, and I look forward to continuing to work closely with you on addressing the important issues that you have raised.

**NADINE DORRIES**

**MINISTER OF STATE FOR PATIENT SAFETY, SUICIDE PREVENTION AND MENTAL HEALTH**

## Annex A

We appreciate you setting out different areas of focus in the Bereavement Charter and have addressed some of your recommendations below.

### *Access to NHS mental health care*

This Government is absolutely committed to supporting everyone's mental health and wellbeing throughout the pandemic and beyond. Talking therapies are being made available remotely so people can access help safely from home and the NHS is working to ensure the option of face to face support is provided to people with serious mental health illnesses across all ages where it is clinically safe to do so. For those with severe needs or in crisis, all NHS mental health providers have established 24/7 urgent mental health helplines.

### *Support with practical needs: financial support and time off work*

Losing a loved one is incredibly distressing. We appreciate that the period following a death will have emotional, social and economic impacts for the bereaved, and that people may need to draw on a wide range of support at that difficult time. The bereavement support payment system has been modernised to turn financial bereavement support into a simple, uniform and easy to understand benefit that better reflects society, and focusses support during the period after a loved one dies, when it is needed most.

Bereavement Support Payment is intended to meet the additional costs of bereavement and consists of an initial lump sum and up to 18 monthly instalments, with higher amounts paid for those with children. There are also a range of funeral packages available in the market place at different costs and the DWP Funeral Expenses Payments (FEP) scheme provides help towards the cost of a funeral where there is insufficient help available.

The Government recognises that the death of a child is particularly tragic, and this is why we legislated to give parents who are in this devastating position, a statutory right to Parental Bereavement Leave and Pay. The entitlement came into effect on 6 April 2020 and it gives parents who lose a child under the age of 18 or who suffer a stillbirth a 'day 1' right to take up to 2 weeks off work in the 56 weeks following the death of their child. Employees will still be eligible even if they have recently changed jobs.

Additionally, we recognise that there is no statutory entitlement to bereavement leave for employees who lose a close relative who is not a child. But all employees have a 'day 1' right to take unpaid time off work for an emergency involving a dependant. Time off for Dependants can be used to deal with practical issues, including registering the death and making funeral arrangements.

### *Legal advice and representation for inquests*

Legal advice can be helpful in allowing families to understand the inquest process, which is why the Government has protected it for inquests within the scope of legal aid through the Legal Help Scheme. For representation at the inquest hearing, where it is necessary, funding is available through the Exceptional Case Funding (ECF) Scheme.

The Government's 'Legal Support Action Plan', published in February 2019, announces a range of changes to the current system aimed at improving the current legal aid process and developing a more supportive system for bereaved families. It includes a commitment to consider whether the ECF scheme can be simplified to ensure it works as effectively as possible for those who need it. We want to make sure that people are adequately supported through what can be a difficult process.

The Government also recognises the vital role of charities and the advice they provide in helping people with their legal problems. We have recently provided additional investment of over £5m for not for profit organisations who provide specialist legal advice, such as Law Centres, and a number of other charities.

### *Support with wills, inquests, and support for claims of compensation*

The Government understands the complexity of issues such as wills for bereaved relatives and thus provides support on will-related issues through its website, outlining answers to a wide-range of potential questions and providing step-by-step guide on issues such making or changing a will, searching records for wills and on inheritance tax etc. This can be viewed here: <https://www.gov.uk/browse/births-deaths-marriages/death>

In addition, the Government agrees that inquests should be more sympathetic to the needs of bereaved people. Interested persons, including bereaved families, have special status at inquests which gives them certain statutory rights. This includes the right to ask relevant questions of the witnesses and to receive disclosure of documents and other evidence. The coroner can also ask questions on their behalf to help ensure interested persons get the answers they need.

The Government's 'Report of the Review of Legal Aid for Inquests' set out details of what we are doing to make inquests more sympathetic to bereaved families. It includes publishing in January 2020 the refreshed MoJ 'Guide to Coroner Services for Bereaved People', so it is better focused on the needs of bereaved families. It can be viewed at: <https://www.gov.uk/government/publications/guide-to-coroner-services-and-coroner-investigations-a-short-guide>

There is also a range of support available to those bereaved in particularly sudden/traumatic circumstances:

- 'The Homicide Service', made available by Victim Support, delivers support through instance in which a sudden death is a result of homicide. The Service commenced in April 2019 and provides families bereaved by homicide with access to the fullest range of practical, emotional, specialist and peer support. Support provided by the Homicide Service is based on the needs of the family, and a dedicated caseworker can help support a wide range of needs, including emotional and practical support, assistance in employment or housing issues, access to free legal advice, and support navigating processes such as inquests.
- 'A new statutory Code of Practice for Victims of Crime' comes into force on 1 April. It provides that close relatives bereaved by a criminal offence are to be given certain enhanced rights including, but not limited to; the offer of referral to a

specialist support service; contacted sooner after key decisions; and offered meetings with the Crown Prosecution Service at various stages of the criminal justice process as stipulated in the Code.

Bereaved families can apply for criminal injuries compensation directly, and without using paid representation such as a solicitor. The Criminal Injuries Compensation Authority, which administers the Schemes, can also aid applicants. In July 2020, a public consultation was launched aiming to make the CICS simpler and more accessible. This included proposals intended to further ensure applicants feel confident making an application directly, and without the need for legal assistance.

#### *Data, research and evidence*

Finally, the Government recognises the importance of data and research in informing policy making, and we welcome any data or research that the Charter's signatories are able to share that would help to improve the evidence base underpinning support available for people bereaved suddenly.