



## Infected blood: Reform of Financial and Other Support in England

### New £10,000 Payment for Bereaved Partners/Spouses

#### Who this is for

On 13 July 2016, the government announced that it will fund a new one-off payment for the bereaved partner or spouse of individuals infected with Hepatitis C and/or HIV as a result of receiving NHS-supplied blood products. The bereaved partner or spouse of an individual who was a 'registrant/primary beneficiary' with one of the five existing infected blood payment schemes is eligible to apply.

The five existing infected blood schemes are: the Macfarlane Trust, the Eileen Trust, the Caxton Foundation, MFET and the Skipton Fund.

**If you are already registered** with one of the charities (that is, Macfarlane Trust, Eileen Trust or Caxton Foundation), please read this policy for information but you need to *take no action*. You will be automatically contacted by the charity about this payment and an application form will be sent to you. *Please wait until you hear from them, they will explain everything to you.*

**If you are not already registered** with the Macfarlane Trust, Eileen Trust or Caxton Foundation, and think you may be eligible after reading this policy, please take action as follows:

- **If you were bereaved before 31 September 2016**, please contact the Skipton Fund or MFET as soon as possible. The contact telephone number for both organisations is 020 7233 0057. They will send you the application form so that you can register and have your application validated. **You must make a valid claim for this payment before 1 March 2017**. Please note that late applications can be considered in exceptional circumstances only.
- **For those bereaved after 31 September 2016**, you are expected to make an application for payment within 6 months of your partner/spouse passing away. It is likely that the current schemes already know about you, in which case you need to take no action (as above). However, if you are unsure, please contact the Skipton Fund or MFET.

Please see page 5 for details about which organisation to contact.

## Background

On 13 July 2016, the government published its response to the consultation on 'Infected Blood: Reform of Financial and Other Support'. The response contained details about the reformed infected blood scheme in England, which will run from 2016/17 until the end of the current spending review period in 2020/21.

One of the new elements announced in the government's consultation response is a one-off lump sum payment of £10,000 to all those who were the partner or spouse of a registrant/primary beneficiary when they passed away, and where infection with HIV and/or hepatitis C contributed to the death of their partner/spouse. This payment will be back-dated to apply to those already bereaved as of 2016/17, as well as to those newly bereaved from 2017/18 onwards. We have also made it clear in our response that those who qualify will continue to have access to the existing discretionary schemes this year and going forward; in other words, that these two types of support would not be exclusive of each other.

This document gives guidance to those who we intend to benefit from this new ex gratia payment and describes the level of evidence required to confirm eligibility.

## Eligibility

**I am a bereaved partner or spouse. Am I eligible for the £10,000 payment and what do I need to do to access it?**

- 1) To qualify for the £10,000 payment, you will need to fill in a short application form (which will be sent to you by the relevant organisation) and demonstrate all of the following:
- 2) that the deceased person (your partner/spouse) received a payment from, or was a registrant/primary beneficiary, with one of the five current infected blood schemes listed above;
- 3) that you were the partner/spouse at the time of this registrant/primary beneficiary's death and living in the same household (cohabitation);
- 4) that the deceased registrant/primary beneficiary met the criteria to qualify under the English scheme; and
- 5) that infection with HIV and/or Hepatitis C, or treatment for the infection, contributed to the death of the registrant/primary beneficiary.

## Further details:

1) You will need to show that your partner/spouse was registered as a primary beneficiary with one of the five current infected blood schemes listed above prior to their death, **or** that a successful claim for a lump sum payment was made by the infected beneficiary's estate posthumously, which would also validate their status as a registrant/primary beneficiary for the purpose of this policy. We would expect the five schemes to have this information on record, but you may be asked to provide documentation to evidence it.

The scheme is designed to support beneficiaries and their families. This means that applications from the spouse/partner of a deceased individual who was not a registrant/primary beneficiary, or who did not receive a lump sum payment from any of the current schemes cannot be accepted.

2) For the purpose of this policy, you qualify as 'partner or spouse' of the deceased registrant/primary beneficiary if you and the registrant/primary beneficiary were legally married or in a formal legal union (such as civil partnership) at the time of their death, and living together at that time (cohabitating); or you and the registrant/primary beneficiary were not married or in a formal legal union at the time of their death but living together (cohabitating) as a couple in a relationship akin to a marriage/formal legal union.

When you apply for the payment, you will be asked to fill in a short application form, which includes a declaration of whether you were the spouse or partner as given above.

You will also need to provide *evidence of cohabitation* at time of your spouse/partner's death. If you are already registered with any of the charities, they may already hold information which evidences this. Where this is not the case, or you are not yet registered with any of the charities, you are required to provide, where possible, documentation to evidence cohabitation at the time, for example: a joint council tax bill; joint utility bill; joint bank statement; separate bank statements or utility bills for both of you, sent to the same address and covering the same period; copy of a lease or mortgage document in your names, etc. These documents should be dated within 3 months of your partner/spouses death.

If you cannot provide any documentary evidence, you can fill in a short declaration form which will need to be countersigned by someone who can act as a referee for you. This form will be sent to you alongside the application form.

Only a bereaved spouse/partner who satisfies the above will qualify for the £10,000 payment. This reflects our intention to provide support to partners or spouses in recognition of their relationship with the registrant/primary beneficiary at time of death. Former partners/spouses, or wider family members such as bereaved parents or children do not qualify but of course dependent children who are under 18 years of age, or under 21 years of age and in full time education, continue to have access to the discretionary scheme as they do now.

3) Please note that to qualify for the £10,000 payment, the deceased registrant/primary beneficiary must have met the criteria to qualify for the English scheme. This means that regardless of where the registrant/primary beneficiary lived, and regardless of where you now live, the registrant/primary beneficiary must have been infected in England through NHS-supplied blood products (or the haemophilia centre which first registered the registrant/primary beneficiary with the scheme must have been in England). If the registrant/primary beneficiary was not eligible for payments under the English scheme, you will not be eligible for the £10,000 payment. In case of doubt, please contact the relevant organisation, which will be able to help you.

4) You will need to demonstrate that infection with HIV and/or Hepatitis C, or treatment for the infection, contributed to the death of your partner/spouse (a 'causal link'). The most obvious place for this is the death certificate and you will need to submit a copy of this when you apply for payment. Causal link is accepted if the death certificate expressly mentions:

- AIDS or an AIDS defining illness (for recognised illnesses visit: [http://www.datadictionary.nhs.uk/data\\_dictionary/attributes/a/age/aids\\_defining\\_illness\\_type\\_de.asp?shownav=1](http://www.datadictionary.nhs.uk/data_dictionary/attributes/a/age/aids_defining_illness_type_de.asp?shownav=1))
- HIV, and/or Hepatitis C infection, and/or non-A non-B Hepatitis (including complications thereof)
- complications from liver transplant
- primary liver cancer
- cirrhosis
- B-cell non-Hodgkin's lymphoma
- consequences from treatment for HIV and/or Hepatitis C, for example liver transplant

In cases where causal link is **not** clearly indicated on the death certificate, and we understand that there may be many reasons for that, you will need to provide a letter from a registered medical practitioner or specialist supporting the view that, on the balance of probabilities, infection with HIV and/or Hepatitis C contributed to the death of your partner/spouse. Examples of valid 'registered medical practitioners' are a GP, hepatologist, or medical professional who has provided care to the deceased person (where that is possible).

Alternatively, it would also be acceptable to provide relevant excerpts from the deceased registrant/primary beneficiary's medical records so long as this evidences a causal link to death as set out above.

## Next steps

All payments in 2016/17 will be handled by the current blood scheme payment administrators and they will advise you as to what is needed in terms of the evidence listed above.

### Please remember...

**If you are already registered** with any one of the charities, please read this policy for information but you need to *take no action*. You will be automatically contacted by the charity about this payment. *Please wait until you hear from them, they will explain everything to you.*

**If you are not already registered** with any one of the charities:

If your partner/spouse was a registrant/primary beneficiary who was infected with *HIV only*, whether he/she was infected with HIV as a result of treatment for haemophilia, or as a result of treatment with a blood transfusion, tissue transplant or a blood product (either directly or as the intimate of a person so infected), please contact MFET (tel. 020 7233 0057).

If your partner/spouse was a registrant/primary beneficiary who was infected with Hepatitis C, or *co-infected with Hepatitis C and HIV* (either directly or as the intimate of a person so infected), please contact the Skipton Fund (tel. 020 7233 0057).

### And ....

- **If you were bereaved before 31 September 2016**, please make contact as soon as possible as you must make a valid claim for payment before 1 March 2017. Please note that late applications can be considered in exceptional circumstances only.
- **For those bereaved after 31 September 2016**, you are expected to make an application for payment within 6 months of your partner/spouses passing away. It is likely that the current schemes already know about you, in which case you need to take no action. However, if you are unsure, please contact the relevant organisation.

Everyone who applies will need to provide a completed application form (which will be sent to you by the relevant organisation), and supporting information such as the death certificate, letter from a medical practitioner or excerpts from medical notes, and evidence of cohabitation (as appropriate).

## **Your personal information**

There may be cases where the organisation may wish to seek clarification or advice from the Department of Health in respect of this policy; however, this will be in relation to the administration of the payment policy only. The Department of Health and the five blood payment schemes are bound by and must comply with all national standards regarding data security, confidentiality and management. No patient-identifiable data (e.g. names, addresses or other personal details) will be shared with the Department of Health in relation to these payments, for this reason.

## **How will I receive my payment?**

The respective organisation will send you the application form, and advise you of the next steps. The relevant scheme will then verify your case and the evidence provided against the above criteria to make an assessment of your eligibility. If you are found eligible, your payment will be made by either:

- The Skipton Fund where the registrant/primary beneficiary was infected with Hepatitis C or co-infected with Hepatitis C and HIV; or
- MFET where the registrant/primary beneficiary was infected with HIV only.

In 2017/18, a new scheme administrator will become responsible for implementing this policy. The process of appointing a new administrator is currently underway and further details will be announced in 2017.