



Department
for Work &
Pensions

Reforms to the Funeral Expenses Payments Scheme

Consultation response

November 2017

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Introduction

1. The Department for Work and Pensions launched a public consultation on a package of proposed reforms to the Funeral Expenses Payments scheme, on 5 July 2017. The reforms focused primarily on clarifying a number of issues around eligibility and to simplify the process for claiming a Funeral Expenses Payment. Views were sought from the general public, particularly those who had experienced bereavement and/or who had experience of accessing the Funeral Expenses Payments scheme. Organisations involved in the funeral industry or in supporting bereaved people were particularly encouraged to respond.

Overview

2. The consultation, which closed on 21 August, generated 73 responses from representative organisations, funeral directors, charities and private individuals. A list of respondents is attached at Annex A. The overwhelming majority of responses supported all of the proposed changes, with a significant number doing so with without making any further suggestions or qualifications. A detailed analysis of the responses to each proposal is set out in the summary of responses at paragraphs 3-9.

Summary of responses

Proposal 1

3. **Respondents were asked whether they agreed with the proposal to allow recipients of Funeral Expenses Payments to receive additional contributions towards the cost of a funeral from charities, friends and relatives without us deducting these contributions from the value of the Funeral Payment we award them.**

This proposal generated 65 responses with over half agreeing without any further comments. Of the remainder, the vast majority agreed that contributions from charities, family or friends should be disregarded, this group qualified their response most commonly by commenting on the scope of the proposals. In particular, the adequacy of the overall

amount payable because of the limit of £700 for 'other costs' was raised. A number of respondents made the specific suggestion that, for example, the scheme should be reformed to meet the bottom 15th or 20th percentile of funeral costs, ensuring that payments covered the full costs of a 'basic funeral'.

Proposal 2

4. **Respondents were asked whether they agreed that the 'responsible person' status should not be assigned to people living in care establishments who receive income-assessed help from their local authority with their care fees, in place of an applicant who would otherwise be eligible for a Funeral Payment.** This proposal generated some wider discussion around eligibility. Although almost everyone who responded to this question agreed that this proposed exemption should apply to care home residents, a significant minority (around 1 in 7) argued that a similar exemption should also be made in respect of other groups of people who are not in a position to take responsibility, in particular the following:
- Students who are not eligible for a qualifying benefit.
 - People on low income who are not in receipt of a qualifying benefit.
 - Anyone who is estranged from the applicant for a Funeral Expenses Payment.

A very small number of respondents went further than this arguing that families should be free to appoint who the responsible person should be; or called for a more fundamental review of the eligibility conditions as they felt these did not reflect many modern family structures, particularly when considering if there is someone other than the applicant to whom responsibility should be assigned.

Proposal 3

5. **Respondents were asked whether they agreed that the application period for claiming a Funeral Expenses Payment should be extended from three to six months.** This proposal generated 69 responses with fewer than five disagreeing. Of those who did disagree, some commented that an extension from three to six months was unnecessary and would cause further delays and uncertainty. A few respondents, whilst agreeing

with the proposal, commented that the adequacy and effectiveness of communication regarding the availability and the limitations of Funeral Payments is a more fundamental issue.

Proposal 4

6. Respondents were asked whether they supported the launch of a shorter application form for claims relating to children's funerals.

This proposal was supported by everyone who responded to this question. However, a significant minority also commented that the Department for Work and Pensions should consider introducing a shorter application form for all claims, and that much more should be done to improve the application process for all types of claims.

Proposal 5

7. Respondents were asked whether they agreed that the regulations should be changed to clarify that Funeral Payments will cover the necessary costs of a burial with or without exclusive rights of burial.

The vast majority of those who responded to this proposal agreed that the regulation relating to the purchase of a burial plot should be clarified as proposed in the consultation document (although a very small number felt that the scheme should not meet any additional costs linked to securing exclusive rights of burial). In addition, three respondents highlighted what they considered to be a flaw in this regulation as currently drafted, arguing that there is no legal right to purchase a new burial plot in England.

Proposal 6

8. Respondents were asked whether they agreed that applicants and funeral directors should be able to submit evidence electronically to support a claim for Funeral Payments.

Everyone who responded to this proposal agreed with it although a few stressed that submitting evidence electronically should be introduced as an additional option and that applicants should still have the option of submitting evidence by post. A significant minority of respondents also argued that this proposal did not go far enough in terms of reducing the average length of time currently taken to

process a claim. In particular, they added that processing times were creating significant uncertainty for applicants because funeral directors generally require a deposit before arrangements can be made, whereas Funeral Expenses Payment claims are processed after the funeral, and on receipt of a final invoice.

Proposal 7

9. **Respondents were asked whether they agreed that the costs of the proposed medical examiner fees (if adopted in the future in respect of burials) should be covered as a necessary cost in the same way as death certification fees are currently covered for cremations.**

This proposal was supported by everyone who responded directly to this question.

10. A small number of respondents put forward a range of other suggestions that were not specifically the subject of this consultation. In addition to those already addressed in paragraphs 3-9 above, a few people commented that the Government needed to do more to improve communication around the support available for making funeral arrangements. In particular, some respondents called for better join-up between DWP, other Government departments and stakeholders to ensure that applicants understand what expenses can be met through Funeral Expenses Payments before they undertake any financial commitments relating to making funeral arrangements. A small number also argued that more needed to be done to clarify the respective roles of local authorities, central government and the funeral industry.

Government Response

11. We are grateful to everyone who took the time to respond to this consultation. The vast majority of respondents agreed with all of the proposed reforms put out to consultation, providing strong evidence that the changes will benefit applicants for Funeral Expenses Payments by clarifying the eligibility conditions and speeding up the application process. In view of the overwhelming support for the proposals, we will now proceed with our plans for introducing the necessary legislation that will enable these changes to be made.

12. When we prepare the regulations we will aim to address the comments that there is no legal right to purchase a new burial plot in England.
13. We confirm that the regulations relating to the provisions on electronic evidence will allow evidence to be submitted electronically, but will not prevent people from submitting evidence by another means if they prefer.
14. As acknowledged in the above summary a significant number of respondents, whilst agreeing with the proposals, also argued in favour of: addressing the adequacy of the overall amount payable as a contribution towards the costs of a funeral; revisiting the eligibility criteria and in particular the categories of people who are exempt from having responsibility for funeral arrangements assigned to them in place of the applicant; and looking at more fundamental operational and communications changes to improve the customer experience.
15. We have given careful consideration to all of these additional comments. The Government believes that the Social Fund Funeral Expenses Payments scheme makes a significant contribution towards a funeral; it meets the necessary costs of a cremation or burial including the costs of acquiring a grave with exclusive rights to the burial plot. Whilst the Department will not raise the amount currently payable towards other costs at this time, we have made interest-free Social Fund Budgeting Loans available to help meet additional funeral costs.
16. The Government believes that the current eligibility criteria make sure that the scheme is targeted at those who need it most and reduces the potential for abuse of a limited resource. At this stage therefore, we will not be making any changes other than those set out in the consultation document. However, as with all of our policies we will continue to keep the Funeral Expenses Payments scheme under review. We will review the suggestions made by stakeholders to assess their feasibility as part of that on-going process.
17. We remain committed to improving the Funeral Expenses Payment scheme. This includes enhancements to the application process and

processing times. Our work to further improve communications will include working with stakeholders to make as clear as possible who is eligible and what support they will receive, and we remain committed to providing a more holistic approach to customers who experience bereavement, and who need to interact with the Department.

Next Steps

18. We plan to bring the regulations that will enable these changes to be made into force from spring 2018. In line with the timescales for introducing the amending legislation, we will ensure that our operational staff are fully aware of the forthcoming changes and arrange for the published guidance available on GOV.UK to be updated.

Annex A: Funeral expenses payments consultation – list of respondents

Representative /Stakeholder Groups

- 1 British Association of Social Workers
- 2 Citizens Advice Scotland
- 3 Institute of Cemetery and Crematorium Management
- 4 Local Government Association
- 5 Macmillan Citizens Advice Service (Hampshire)
- 6 National Association of Funeral Directors
- 7 Society of Allied and Independent Funeral Directors

Charities

- 1 Age UK
- 2 Age Concern (Hampshire)
- 3 Alice Barker Trust
- 4 Age UK (Richmond)
- 5 British Legion
- 6 Church Action on Poverty
- 7 CLIC Sargent
- 8 CRUSE
- 9 Macmillan
- 10 Marie Curie
- 11 National Children's Bureau/Child Bereavement Network
- 12 Princess Royal Trust for Carers in Hampshire
- 13 Quaker Social Action
- 14 Rainbow Trust
- 15 Salford CAB

- 16 Test Valley CAB
- 17 Together for Short Lives
- 18 Winchester CAB

Funeral Directors/Other industry

- 1 Abbott Funerals
- 2 Allcock Family Funeral Services
- 3 Co-op Funeral Care
- 4 Co-op Funeral Care (Heart of England)
- 5 Co-op Funeral Care (Walton on Thames)
- 6 Dignity UK
- 7 Golden Charter Funeral Plans
- 8 Hardy's Funerals
- 9 Holly's Funerals
- 10 Livesey Ltd
- 11 John Lucas Ltd
- 12 Poppy's Funerals
- 13 Quinn's of Greasby
- 14 Shakespeare Funerals
- 15 The Individual Funeral Company
- 16 J Worley

LA - Bereavement Services /Crematorium Managers etc

- 1 Allerdale Bereavement Services
- 2 Cardiff City Council
- 3 Dacorum BC (Bereavement Services)
- 4 Durham
- 5 Gardens of Peace

- 6 Gosport
- 7 LB Hillingdon (vising officer)
- 8 Lancashire and Cumbria Bereavement Care Services
- 9 Mawnan Parish Council
- 10 North Devon Crematorium
- 11 North Lanarkshire Council
- 12 South Gloucestershire

NHS

- 1 Chesterfield Royal Hospital NHS Foundation Trust

Academics

- 1 Dr Anne Corden (University of York)

Individuals

- 1 Re. June Asquith (Rector, St Mary's Wavertree)
- 2 Philip Blatchley
- 3 Irene Bowron
- 3 Teresa Evans
- 5 F Hussein
- 6 Nixie James -Scott (Interfaith Minister/Celebrant)
- 7 James Leedam
- 8 Chris Lima
- 9 John O'Callaghan Wilson
- 10 Beth Titchiner
- 11 Janet Toye
- 12 Elsa Wiehe
- 13 Celia Wood

Others

- 1 Dina Abbas (Acted South Sudan)
- 2 Radian (Welfare Officer)
- 3 Royal London
- 4 Scottish Working Group on Funeral Poverty
- 5 The Debt Recovery Bureau