

When the worst happens

By Phyllis Gibson, AFF Additional Needs Specialist

This article is not meant to upset anyone, but will answer some of the questions that are often thought about but not always discussed. It is reassuring to know that if the worst happens, there is support available and no family will be left to cope on their own.

Having a soldier in the family can lead to some of the most exciting and amazing times - living in different countries, experiencing new cultures and making friends from every walk of life. However, Army life does have worrying and stressful times, especially when the soldier is deployed on operations. It is during these times that rumours often abound, sometimes with incorrect information, leading to worry about what might happen to you and your family. It is reassuring to know that there are procedures in place and agencies to help, but for a family to receive all the support available, it is crucial that your soldier has made a will and updated their next of kin and emergency contact details on JPA.

There is lots of information available on the procedures that follow after a soldier dies. The following is an explanation of the whole process from notification through to funerals, to help provide the answers to questions that are often thought about but not always discussed.

How is the family informed?

When a soldier is injured or sadly dies, their details are passed in the shortest possible time to the Joint Casualty and Compassionate Centre (JCCC) using a NOTICAS (Casualty Notification). The JCCC are responsible for ensuring that all the relevant authorities are informed, but the parent unit usually takes on the responsibility of notifying the family.

This includes the soldiers designated Emergency Contact (EC), a person that the soldier nominates, prior to deployment, to be informed if anything happens to them. The EC is not necessarily the Next of Kin (NOK) - soldiers are able to elect to have either the EC or both the EC and NOK notified. In case of death, the MOD will also inform the NOK as they are usually the main beneficiaries of the will. **It is therefore important for a family to notify the unit rear party if they are going to be away from the usual address for any length of time.**

Other than the most exceptional circumstances, the notification of death is to be made immediately, regardless of the time of day or night. If a Service casualty is under the age of 18, their parents or legal guardian are to be notified even if they were not nominated by the Service person. If the unit is not able to inform the EC directly, the JCCC appoint a Notifying Authority who elects a Casualty Notification Officer (CNO) if the soldier has died. The CNO is usually accompanied.

The JCCC also nominate a Visiting Officer (VO) who would normally make contact 24 to 36 hours after the initial visit from a CNO. The VO becomes the long-term point of contact and is the link between the family and the various support agencies.

JCCC are producing a comprehensive booklet, which will cover every aspect to support the family.

Death in service

In the case of death, the VO is the main point of contact for the family providing help and support with the registration of the death, funeral arrangements and repatriation of the body (if the death occurred while serving overseas).

Ongoing support to the family

The main priority is to offer ongoing practical support to the family of deceased Service casualties. A Welfare Manager from the Service Personnel and Veterans Agency (SPVA), the War Pensioners Welfare Service (UK) or the Pensions and Compensation Welfare Service (if based overseas) will also contact the family. They assist with the paperwork and forms associated with pension, compensation, other social benefits and financial matters calling in specialist help as required. The family will also continue have a VO as a point of contact but will also come under the overall care of PS4 (Army) Inquiries & Aftercare Support Cell (AIASC) - Call 01980 618284/8104 for further information.

SSAFA Forces help has set up two support groups to help families, the Families of Injured Service Personnel Group and the SSAFA Bereavement Group. For further information, contact Jane Barnes at SSAFA. Call 0207 4639 234 or email jane.b@ssafa.org.uk

Once it has been agreed that the family no longer requires the assistance of a VO there will be a formal handover to the SPVA Welfare Manager. This must be conducted with the full knowledge, understanding and agreement of the family. The important principle is that the family should have a contact within the MOD that they can contact if they need any further assistance or advice.

Can I retain my quarter?

It is reassuring for families to know that they will not be asked to leave their SFA immediately after the death of a soldier in service.

- The bereaved spouse/civil partner may remain in their quarter or hiring for two years. Retention may be extended beyond two years - the welfare agency looking after the family will be able to assist should this be the case.
- The bereaved spouse/civil partner will continue to pay normal quarter charges either in the UK, Northern Ireland or overseas. CILOCT (Council Tax) charges may be abated by 25% for single occupancy.
- If Defence Estates require the quarter for upgrade or disposal, or the lease is terminated on the hiring, the family will be provided with an alternative quarter or hiring of a similar type at the same location. In these circumstances the spouse/civil partner would be entitled to a move at public expense.
- If the bereaved spouse/civil partner wishes to move closer to a member of their family, or their child's school, they are entitled to one move at public expense within twelve months of the date of bereavement (although this is flexible). A quarter or hiring will be provided within a radius of up to 50 miles of the preferred location.
- Once the family decides that they wish to move out of the married quarter/hiring and in to private accommodation, furniture removals and disturbance allowance will be paid for at public expense.
- Any furniture being stored at public expense can remain in store for up to three months after repatriation and then be moved to the new quarter/hiring at public expense.

- Local Overseas Allowance (LOA) will continue to be paid to the family until they move out of the overseas SFA.

What financial help is there?

All pay, service allowances and centrally recovered charges cease from the day following the death of a soldier, **but it is important that families know that other benefits will commence.** In the event of a missing soldier, full pay and allowances will continue to be paid until death is presumed to have occurred or been confirmed.

The Welfare Manager will keep the bereaved family informed about their benefits. The VO will bring a letter from JCCC concerning grants, pension, compensation and gratuities that may be due. There are three main benefits payable from the Department of Work and Pensions:

- **Bereavement Payment.** This is a single tax-free payment of £2,000 (As at 1 Oct 2003) payable immediately to widow/widower/civil partners under the age of 60, where the deceased has met the required NI contribution conditions.
- **Widowed Parent's Allowance.** This is a taxable weekly benefit payable after the death, provided you have at least one child for whom you receive Child Benefit, or are expecting a child. If you do not have any children then there is Bereavement Allowance. This is a taxable weekly benefit payable for 52 weeks after the death, as long as the widow/widower/civil partner is aged 45 or over, and meets the conditions laid down.
- **Resettlement entitlement.** The individual's entitlement to resettlement may be transferred to a legitimate member of the family under guidance from the Service Education Centre resettlement desk.

If the deceased was a member of the Army Dependents' Trust, the family will receive a discretionary grant. This money is not part of the deceased's estate and is paid directly to the named beneficiary, usually within 48 hours. Soldier's families are also able to benefit if the soldier was in possession of a PAX insurance policy and the VO is able to check to see if this is the case.

The Service Personnel and Veterans Agency (SPVA) administers the Armed Forces Compensation Scheme (AFCS) which replaces the current War Pension Scheme and the attributable benefits of the Armed Forces Pension Scheme 1975 for injuries, illnesses or deaths caused by service on or after 6 April 2005. For death caused by service, a Survivor's Guaranteed Income Payment (SGIP) for life will be awarded and a tax-free lump sum of up to £20,000 may be paid to bereaved spouses, civil and eligible partners. For dependent children, there will be a child's payment until the completion of full-time education.

The AFCS benefits will be in addition to those Death-in-Service benefits made under the Armed Forces Pension Schemes. But for any pension, the SGIP and child's payments will be lowered to avoid double compensation. However, any lump sum due from the pension schemes will remain paid in full.

The Service Personnel and Veterans Agency at Glasgow administers the Armed Forces Pension Scheme (AFPS). If the soldier had served for more than two years and was a member of the scheme, then a short-term family pension is payable for a minimum of three months which represents the rate of pay (excluding allowances) that would have been paid to the deceased for that period. Where the beneficiary has dependent children, this period may be extended to six months.

Will my children have to move schools?

Families may worry about their children's long-term education should a soldier die or become invalided. If a child is at boarding school and the soldier is in receipt of Continuity of Education Allowance (CEA), there are a number of regulations in place to ensure that a child's education continues through crucial educational years:

- CEA will continue to be paid up to the end of the current stage of education, or up to two full terms after the term in which the death or invaliding of the Service person occurred, whichever is the longer extension.
- If the child is already studying for public examinations, CEA will continue to be paid for up to four years, or to the end of the term in which the child takes the examinations and leaves school, whichever is soonest. For example, a child aged 14-16 years who moves on to A level studies, it would be up to four further years, for a child aged 16-18 years it would normally be up to two further years.
- The entitlement to School Children's Visits continues in line with entitlement to CEA (JSP752 04 1230).
- Local Overseas Allowance (LOA) including Small Station LOA, will continue to be paid to the family of a deceased Service person until they move.
- However, there will be no new entitlement for any child(ren) not already in receipt of CEA when the Service parent dies or is invalided, irrespective of any future parental aspirations for the education of their children.

For further information contact the Children's Education Advisory Service (CEAS) - on 01980 618244 or email enquiries@ceas.detsa.co.uk

Wills

Whether your soldier is deploying on operations or not, it is vitally important that they make a will. Individuals can make a simple will using MOD Form 106 or make private arrangements. According to the Army Widows Association, this is a key point. If your soldier doesn't have a will, please encourage them to make one now. Making a will ensures the family receive what they are entitled to. When a soldier dies, the VO will check with the JCCC Deceased Estates to see if there is any record of a MOD/ Service will. Irrespective of whether a Service will is located, the VO will need to ascertain from the NOK if they are aware of any private will (which may predate, or supersede, a Service will).

Repatriation

MOD policy is to repatriate deceased Service personnel, including Foreign & Commonwealth (F&C) personnel, as soon as practicable. Repatriation to a location in the UK chosen by the NOK will be arranged by the Services and will be at public expense. Repatriation to a location other than the UK will be considered on a case by case basis. Repatriation of F&C personnel to their country of origin is authorised at public expense.

For deaths resulting from other than natural causes, the Coroner is required to hold an Inquest and may request a post mortem examination irrespective of whether such an examination was carried out overseas. This is a civil matter, over which the MOD has no control and it may not be possible to finalise the funeral arrangements until the Coroner has released the body to the undertaker. The NOK and bereaved family has the right to view the body after repatriation should they wish. All deaths must be formally

registered in order to obtain a death certificate. Deaths in UK must be registered by the Registrar of the district where the death took place. However, UK Registrars are not able to register deaths overseas, even for UK nationals. Nevertheless it is still possible to obtain a UK registration (and a UK death certificate) for deaths overseas for members of the Armed Forces, but it must be done by a legally authorised Registering Officer.

Media Reporting

Most incidents involving Service fatalities, especially on operations, are of considerable interest to the media and will be widely reported. It is MOD policy to release the names of deceased personnel, but only after the NOK (or ECs) have been notified. NOK and ECs may request a further delay to enable them to inform other family members. Additional personal information about the deceased may be released at the request (or with the consent) of the family. If there is unwelcome media attention, families will be offered (by CNOs and VOs) support to deal with this. This will be provided through regional media staff but co-ordinated by Defence News Press Office staff.

Funerals

When a Service person (including a Reserve on duty and F&C personnel) dies, it is MOD policy to arrange a funeral at public expense or provide funding towards the cost of a private funeral depending on the family's wishes. Where the burial is carried out at public expense, whether in UK or overseas, MOD pattern headstones can be supplied if the NOK requests it or if the burial is in a military cemetery. The graves are maintained at public expense, including graves purchased at public expense in civilian cemeteries. Two people are entitled to travel and accommodation at public expense to attend the funeral overseas of a Service person.

The funeral may be at any location in the UK or in the country where death occurred whilst serving overseas (subject to any overriding local conditions) or, in the case of F&C personnel, either in their country of origin or the country in which the NOK is normally resident. Wherever the funeral is held, the family will be eligible to receive the rate of Funeral Grant they would have been entitled to had the funeral been held in the UK. In circumstances where Service personnel are killed whilst in Service but whose bodies are never recovered, the NOK may choose to have a headstone, urn plot marker or equivalent memorial plaque or an entry in a crematorium or other Book of Remembrance provided from Public Funds.

Foreign & Commonwealth families

The Army provides support to accompanying bereaved dependants regardless of nationality. Those subject to immigration control who are widowed or orphaned and wish to enter or remain in the UK, will need to apply to the Home Office. Those on overseas assignments or in Northern Ireland are normally entitled to be relocated to the UK at public expense. The Home Office has confirmed that non-British soldier's widow(er) will not be removed automatically to their country of origin on the death of a serving spouse. Immigration instructions allow widows(er) or orphans of Ghurkha and F&C soldiers to apply for settlement in the UK irrespective of whether the deceased soldier was serving or had retired from the Services. Individuals will need to meet the Home Office eligibility criteria published on the Borders and Immigration Agency website. All applications are considered individually by the Home Office, which treats each case sympathetically. Visit www.bia.homeoffice.gov.uk for more information.

TA and Reservist families

All TA and Reserve soldiers become Regular soldiers on mobilisation and are entitled to all the benefits of Regular soldiers.

Useful points of contact

- JCCC: 01452 519951
- Army Inquiries & Aftercare Support Cell (AIASC): 01980 618284/8104
- Army Welfare Service: 01722 436564
- SPVA Helpline: 0800 169 2277
- SSAFA FH: 0207 403 8783
- Samaritans: 08457 909090
- Army Widows Association: www.armywidows.org.uk
- War Widows: 0870 2412189 www.warwidowsassociation.org.uk
- Cruse Bereavement Care: 0844 477 9400
- JSP 751 - joint casualty and compassionate policy and procedure
- JSP 752 - tri-Service regulations for allowances
- The Compassionate Friends: 0854 123 2304 www.tcf.org.uk
- The Way Foundation: 0870 011 3450 www.wayfoundation.org.uk
- The Childhood Bereavement Network: 020 7843 6309
www.childhoodbereavementnetwork.org.uk
- www.army.mod.uk/welfare-support/family/6195.aspx
- www.army.mod.uk/welfare-support/family/4400.aspx