

# North Yorkshire County Council

## Pension Fund Committee

26<sup>th</sup> November 2021

### Death Benefit – Mrs P

#### 1.0 Purpose of the Report

To provide Members with information relating to the death of Mrs P on 28 January 2019 in order that a decision can be made as to the beneficiary of the death grant now payable.

It is an administering authority discretion under the regulations to decide to whom death grants are paid. The following wording is taken from the 'Administering Authority Discretions for NYCC' document:

*"In assessing who should receive any death grant, the administering authority will make reasonable efforts to identify potential beneficiaries and to gather relevant information. Potential beneficiaries can be a member's nominees, personal representatives, relatives or dependants.*

*The administering authority will take into account all information that it receives in making a decision, but most importance will be attached to the member's nomination where one exists. The administering authority will however not always follow the nomination. In particular (but without limitation), the administering authority may decide to award the death grant to someone else where the member's circumstances have materially changed after the nomination was made, or where there are other factors which (in the view of the administering authority) indicate that this would not be appropriate.*

*Where necessary, cases will be referred to the Pension Fund Committee for a decision."*

It is standard practice for the NYPF to pay death benefits in accordance with the Nomination Form completed by the member however no nomination had been made.

#### 2.0 Background

- Mrs P was a deferred member of the NYPF and died on 28 January 2019 and we received notification on 4 February 2019 from their partner.
- The member had not completed a nomination form.
- The partner is already in receipt of a survivor's pension.
- We received letter from solicitors advising member died intestate and the only person entitled to take out Letters of Administration was her father.
- The deceased's sister completed the family information form, included as **Appendix 1**, as solicitors no longer dealing with the case.
- Family information form confirms member was divorced at date of death. No dependant information provided, sister's details provided as close relative.
- Further family information form completed by partner, included as **Appendix 2**.
- Both parties claim to have paid the funeral expenses.
- The funeral directors have advised that £1,639.00 of the £3,077.00 funeral expenses was paid by a DWP grant applied for by the partner, leaving £1,438.00 outstanding balance.
- Death grant due is approximately £11,000.00

#### 3.0 Action

- 3.1. Members are asked to confirm to whom the death grant should be paid. This could be a single or multiple beneficiaries or to the Estate.

Gary Fielding  
Treasurer of North Yorkshire Pension Fund  
NYCC  
County Hall  
Northallerton  
19 November 2021