



# What to do when someone dies

How to claim a deceased member's pension pot

## Our three-step process

We appreciate this may be a difficult time for you, so we aim to make your claims process as easy as possible. We've put together a step-by-step guide of how to make a bereavement claim, and included a list of frequently asked questions at the end.



### 1. Tell us about the bereavement

The more information you can give us when you first get in touch, the quicker we can process the claim.



### 2. Send us documents

We may need some documents to make sure the member's wishes are being carried out. We'll let you know what to send.



### 3. Give us your payment details

You'll usually receive payment around 20-30 days after we receive all the information needed to process your claim. However, it could take longer for complex cases.

## How the process works

### 1. Tell us about the bereavement

The first step is to let us know. The best way to do this is by calling 0300 020 0090, where our call centre staff will start your claim. If needed, we'll connect you to our dedicated bereavement team.

The more information you can give us at this point, the quicker we'll be able to process your claim.

At a minimum, we'll need to know:

- the Nest ID (if available) or National Insurance number for the member
- the full name of the member
- the date of death
- your name, your relationship to the member and your contact details
- the name and contact details of the next of kin or the person dealing with their affairs

### 2. Send us documents

You'll need to send us documents so we can make sure the member's pot is paid out to the right person. We'll confirm exactly what's needed when you tell us about the bereavement.

#### Send the death certificate

Like most organisations, we'll ask to see the original death certificate to process a bereavement claim. You'll find details on how to get one on [page 5](#).

#### Send other documents

You may need to send additional documents before we can settle the claim.

We'll tell you what to send and whether it needs to be the original document or a certified copy. This could include:

- **Proof of your identity:** Passport, birth certificate, driving licence
- **Proof of your relationship to the member:** Marriage certificate, birth certificate
- **Proof of who we should be dealing with:** The member's will, grant of probate, a letter of administration, a letter of authority, power of attorney

### Send further evidence

Once we've run our checks, we may need evidence proving that the claim is being paid to the right person. This is only required for complicated claims, and we'll let you know exactly what's needed.

If you're sending original documents, we recommend you send these via recorded delivery to:

Nest  
Nene hall  
Lynch Wood Business Park  
Peterborough  
PE2 6FY

We aim to return all physical documents to you within five working days in the same way they've been sent. So if you've posted them to us by recorded delivery, that's how they'll be returned.

If you're sending electronic copies, please email them to [claims.servicing@nestpensions.org.uk](mailto:claims.servicing@nestpensions.org.uk)

### 3. Give us your payment details

Once we have all the information needed, we'll run some checks.

Once these have been completed, we'll contact the beneficiary, beneficiaries or executor to let them know the total amount that'll be paid out and to ask for bank details.

We'll usually pay the claim out in full by bank transfer, directly into the beneficiary's bank account. We aim to make the payment within 20-30 days of receiving all the information we need.

## Frequently asked questions

### Finding the right beneficiaries

#### How do we decide who the beneficiaries are?

Our first step is to check if the member had told us who they'd like to inherit their pot. If they have, we'll check whether they **nominated a beneficiary or made an expression of wish**. If the former, we'll only be able to pay the claim to the listed beneficiaries.

If there weren't any listed beneficiaries, we'd need to pay the pot to whoever has grant of probate. In some cases, for example if the sum of money saved in the pension pot is above a certain amount, we may need you to apply for grant of probate to make payment to you. We'll let you know if this is needed.

If there weren't any listed beneficiaries, no one has grant of probate and we don't need you to apply for grant of probate, we'll usually take next of kin and dependants into account, following the order recommended in the government's intestacy rules:

1. the legal spouse or civil partner
2. children
3. parents
4. siblings
5. grandparents
6. aunts and uncles

If we still can't identify a beneficiary, we'll pay the claim to the person dealing with the member's estate so they can distribute it.

It's possible that the claim might not be settled in a way that you agree with. You're welcome to get in touch with us if you have any additional evidence that hasn't been considered.

#### Are there any instances where we won't pay out to the named beneficiary?

Yes - but only if they'd set an expression of wish.

Sometimes, the member's circumstances may change after they tell us who they'd like to inherit. For example, they get married or have children, which means there are legal dependants that weren't mentioned when they told us their wishes. This could mean that the person who's entitled to the Nest pension pot has also changed.

If they'd set an expression of wish, we'd take these circumstances into account.

If the member had nominated a beneficiary, we must pay the pension pot to the people or organisations listed - unless the beneficiary has since passed away.

You'll find more information on **expression of wish and nominating a beneficiary** on our website.

If the member hadn't used either of these options, we'll need to follow government guidelines or the rules of the Nest pension scheme.

#### What happens if the beneficiary is under 18?

If the beneficiary is a child, a legal guardian will have to take responsibility on their behalf. We'll make the payment to the legal guardian's bank account.

### Making the claim

#### Is there a time limit on the claim?

If we haven't been able to pay out the pension pot within two years of being told of the member's death, or if the member was aged 75 or above at the time of their death, the amount paid out will be subject to tax. You can find out more about tax on **page 6**.

If you haven't completed your claim within six years of the member's death, you may have lost the right to claim their pension pot. However, you should still get in touch with us so we can look into your case.

### Can you make the claim yourself or should you use a solicitor?

If you'd rather ask your solicitor to deal with the claim, that's absolutely fine. If you'd rather handle it yourself, that's fine too. Everyone's circumstances are different, and it's your call. All we need is a letter of authority giving us permission to deal with the solicitor. It must include:

- a signature from the next of kin or beneficiary
- the next of kin or beneficiary's address
- written permission for the solicitor to act on your behalf
- any three of the following:
  - the deceased member's name
  - their Nest ID
  - their National Insurance number
  - their date of birth
  - their date of death

If you'd like the claim to be paid out to the solicitor so they can distribute the funds as part of the member's estate, this must also be stated in the letter.

You can either email this letter to [claims.servicing@nestpensions.org.uk](mailto:claims.servicing@nestpensions.org.uk) or post it to:

Nest  
Nene hall  
Lynch Wood Business Park  
Peterborough  
PE2 6FY

### What is grant of probate or letter of administration?

A grant of probate is an official document giving a named representative the legal right to deal with someone's property, money and possessions when they die. In a nutshell, it makes you the executor - not just with their Nest pension pot, but with all their estate.

You may need to get a grant of probate for the claim to be settled if the pension pot is above a certain threshold and the member hasn't named a beneficiary or left an expression of wish. It helps make sure the pot goes to the right people, and can be an important part of preventing pension scams. We'll let you know if it's needed.

You have to pay a fee to apply for grant of probate, and the amount paid depends on the value of the estate. You can apply for probate yourself at [gov.uk/apply-for-probate](https://www.gov.uk/apply-for-probate)

You can also hire a solicitor to help you with the process for an additional cost.

A letter of administration is similar, but is issued when the deceased dies without a valid will. Grants of probate are only given to executors named on the will, while letters of administration are usually applied for by a beneficiary or by the next of kin.

### Where do you get a death certificate from?

You can find all the information you need at [gov.uk/register-a-death](https://www.gov.uk/register-a-death)

Once you've registered here, you'll be given a death certificate. It's a good idea to request several copies as many organisations will ask for an original copy to process any claims. You can also order copies at [gov.uk/order-copy-birth-death-marriage-certificate](https://www.gov.uk/order-copy-birth-death-marriage-certificate)

### Payment

#### How do you find out how much is in the pension pot?

Legally, we're required to protect this information. We can only provide these details to the person or organisation the pot will be paid out to.

If that's you, we'll need to complete our verification checks before we can pass any information on.

We'll also be able to tell you if you need this figure as part of your grant of probate application.

#### How long will it take till the claim is paid out?

Claims are usually settled within 20-30 days of us receiving all the information needed. However, each case is different. There are lots of things that could impact timings, like having several possible beneficiaries, how big the pension pot is, whether the member had multiple accounts with us, and whether or not the member had previously told us who should inherit their pot.

It also depends on when we receive all the information and proof that's needed to process the claim.

We'll usually send a letter to each beneficiary confirming the final amount that has been paid to them and any tax that's been deducted. If we've only been dealing with the executor of the member's affairs, we may send this letter to the executor rather than all beneficiaries.

The best way to get an update on your claim is by calling 0300 020 0090.

#### How is payment calculated?

A Nest pension pot is a way for workers to save for the future. Any money that's put into it is invested in things like company shares, property and gold. We do this to try and grow that money, so our members have more to retire on.

The value of the pot depends on the current value of all the different markets they're invested in. For example, if most of the pot is invested in the stock market when it's performing well, its value will be higher. But if the stock market falls the following day, the value of the pot will fall too.

When we're asked to pay out the pot, we'll convert its investments into cash based on the current market rate of each different investment. We'll then pass this final amount on to the beneficiaries.

### Can you use pension income drawdown?

Once we've been informed of the member's death, we are only allowed to close the account down and pay the pot to the beneficiaries. That means beneficiaries can't use drawdown, which means taking out some of the money and leaving the rest invested.

### How do you deal with tax?

The money in the member's pension pot may be subject to tax when:

- the claim isn't completed and paid out within two years of us being informed of the death
- the member was aged 75 or over at the time of their death
- the member has exceeded their lifetime allowance – we'll let you know if this is the case
- payment is made to a non-qualified person, such as a trust or a charity

In these circumstances, we'll calculate and deduct any tax due on the pot and pay it on your behalf, meaning it's all taken care of for you. You'll receive a letter or a P45 with full details of the payment.

If the member had set an expression of wish, their pot won't be considered part of their estate and won't be subject to inheritance tax. Under all other circumstances, the pot usually forms part of the estate. We'll tell you if this is the case in our final letter confirming the amount that's been paid out.

If the pot is part of the estate, a payment for inheritance tax may be liable and you'll be responsible for paying this. You can find more information on inheritance tax at [gov.uk/inheritance-tax](https://www.gov.uk/inheritance-tax)

© 2022 National Employment Savings Trust Corporation. All rights reserved. Reproduction of all or any part of the content, use of the Nest trademarks and trade names is not allowed without the written permission of Nest. Nest does not warrant nor accept any responsibility for any loss caused as a result of any error, inaccuracy or incompleteness herein. This content is provided for information purposes only and should not be construed as financial, investment or professional advice or recommendation by Nest. Data may be obtained from third party weblinks, but these may not be error free and cannot be verified.