**Scheme information for claimants**

**About the scheme**

The scheme is time-limited. Deaths which occurred before the announcement of the scheme will also be considered. The scheme will remain open until the relevant HSC workforce provisions of the Coronavirus Act 2020 expire. Ministers will then give notice that the Scheme is to close, and a 6-month period will allow any final claims to be made and settled.

The scheme is non-contributory which means there is no cost to staff or employers.

This scheme is separate to the HSC Pension Scheme. If the deceased was also a member of the HSC Pension Scheme then HSC Pension death benefits may also be paid. You will need to complete separate claim forms. The forms will be provided by the HSC Employer or can be found on the [bereavement page of our HSC Pensions website](http://www.hscpensions.hscni.net/bereavement/).

**Who’s covered**

The scheme covers staff who:

* are employed by an HSC body
* work for organisations that support the delivery of HSC services, including outsourced or subcontracted services
* work on an HSC contract, including primary care medical and dental services

Staff can be:

* full-time or part-time
* permanent or temporary, including agency workers and locums
* retired staff who return to HSC employment
* students taking up paid frontline roles

Within adult social care the scheme covers all staff employed by an organisation registered by the RQIA to provide personal care and accommodation for persons who require nursing or personal care. In addition, members of the social care workforce in non-RQIA registered organisations are also eligible, if their employer receives public funding.

Within children’s social care the scheme covers child and family social workers employed or engaged by local authorities working in high risk circumstances including agency staff. It also covers those working for organisations that receive public funding to deliver children’s social care services includes employees, agency workers and contractors in children’s residential and secure homes or other settings where there is deemed to be a high risk of exposure which could not be avoided due to the nature and location of the work being carried out such as residential special schools.

The coverage of the scheme is broadly drawn across HSC and social care sector employers given the variety of roles and locations, and the ways these may change in response to the pandemic.

Eligibility is work-related, where the Minister for Health for Health and Social Care can reasonably conclude that the person contracted coronavirus in the course of performing their duties.

**Eligibility criteria**

For a claim to be accepted, the Minister for Health must be reasonably satisfied that:

* coronavirus disease was wholly or mainly the cause of death
* the individual was exposed to a high risk of contracting coronavirus disease in circumstances where they could not reasonably avoid that risk because of the nature and location of the work their work
* the individual contracted coronavirus in the course of their work

Circumstances that likely fall within these criteria are where the individual was:

* testing or diagnosing whether a person is infected with or contaminated by coronavirus
* coming into close proximity by reason of caring for, supporting, treating or providing other clinical service to a person who has, or is suspected of having, coronavirus or coronavirus disease
* providing any other type of service within the same environments where those services are delivered

Where the individual was performing duties that do not fit these scenarios, or if it’s difficult to establish the presence of coronavirus in the workplace, the claimant is invited to explain why they think the individual was exposed to a high risk of contracting coronavirus because of the nature and location of their work. The claimant’s explanation will be appropriately considered.

**Claims process**

If you believe you may be eligible to make a claim and you have not heard from the deceased’s employer about the claims process, use our HSC Life Coronavirus Assurance Scheme 2020 claim form  for individuals working in the HSC or adult and children’s social care in Northern Ireland.

If you need to speak to someone about the process of making a claim, contact us.

The claim form should be completed by the legal personal representative for the deceased or a solicitor acting on behalf of the estate.

The claim form will need to be certified by the deceased’s employer.

To complete the form, you’ll need:

* details of the deceased
* details of the legal personal representative or solicitor
* employment information about the deceased
* the cause of death, as listed on the death certificate
* payment details

The legal personal representative or solicitor will need to provide the employer with the death certificate and either:

* an original Grant of Probate,
* original Letters of Administration

Claims will be processed to confirm eligibility for payment whilst claimants obtain either a Grant of Probate or Letters of Administration, but payment cannot be issued without either of these being received.

If there’s more than one legal personal representative, each person (other than the claimant, if they’re also a legal personal representative) must complete a claim form annex to confirm they agree with the payment details provided on the claim form.

**Grant of Probate or Letters of Administration**

To make sure that the life assurance lump sum is paid in line with the wishes of the deceased (if they had a will) or the law (if they had not made a will), the claimant must provide the employer with either a Grant of Probate or Letters of Administration. Claims will be assessed for eligibility without a Grant of Probate or Letters of Administration but payment cannot be made without these.

The Registrar of Deaths should issue a [PA2 leaflet](https://www.gov.uk/government/publications/how-to-obtain-probate-a-guide-for-people-acting-without-a-solicitor) from the government website, alongside the death certificate.

The PA2 leaflet explains how to apply for a Grant of Probate or Letters of Administration. You can also ask a solicitor to apply for probate for you.

If there’s a will, the claimant will receive a Grant of Probate.

If there is no will, they will receive Letters of Administration. These are commonly referred to as ‘probate’. The lump sum will not be payable without probate.

You can find [more information on the process and probate application fees](http://www.gov.uk/applying-for-probate) on the government website.

Due to the coronavirus pandemic, probate applications are taking longer than usual to process.

Probate obtained outside of the UK must be formally resealed in a UK Court, known as the Probate Registry.

It may be impractical for someone living overseas to obtain / reseal Grant of Probate or Letters of Administration in this country. For example, because the document has been obtained from a Court that is outside the Commonwealth.

One way that this can be resolved is by the Personal Representative(s) arranging for someone residing in the UK to be given Power of Attorney (POA) to act on their behalf.

**Payment**

Once we have received the completed form from the employer, completed all eligibility checks and received all supporting documentation, including the Death Certificate and either Grant of Probate or Letters of Administration, we'll process the application and pay the life assurance lump sum. The life assurance lump sum will be paid into the bank or building society account of the Estate.

We’ll notify the claimant and all Legal Personal Representatives that the life assurance lump sum has been paid.

We’ll also notify the employer that the life assurance lump sum has been paid.

Where payment is due, payment will be made within 30 days of us receiving an authorised claim form and supporting documentation from you and the employer.

If the life assurance lump sum is not paid within 30 days, we’ll pay interest on the unpaid amount.

Interest will be paid at the bank base rate. However, if the life assurance lump sum was not paid within 30 days as a result of some act or omission on the part of the claimant, no interest will be paid.

**Complaints and Disputes**

To complain or raise a dispute in relation to the HSC and Social Care Coronavirus Life Assurance Scheme, send us a completed HSC and Social Care Coronavirus Life Assurance Scheme disputes application form

You can read the [HSC and Social Care Coronavirus Life Assurance Scheme disputes guidance (Word: 75KB)](https://www.nhsbsa.nhs.uk/sites/default/files/2020-06/CoronavirusLifeAssuranceScheme2020DisputesProcedure_Guidance.docx) for more information about the disputes process.

Details on where to send the completed disputes application can be found in the guidance document and application form.

**Contact us**

The employer of the deceased is there to support you through the claim process.

They will authorise your claim and will send it to us on your behalf.

 If you have any questions about the HSC and Social Care Coronavirus Life Assurance Scheme 2020 claims process, speak with the employer.

If they are not able to help, you can contact us and an administrator will call you back.

Contact our HSC and Social Care Coronavirus Life Assurance Scheme 2020 helpline by:
**Telephone:** 028 71319111
**Outside UK:** +44 2871 319111

Scheme information for employers

**Scheme awareness responsibilities**

As the employer, we ask that you tell your employees about the scheme and distribute communications material provided by us.

You should make sure that all subcontractors and temporary staff also receive these communication materials.

We also ask subcontractors to share the information with their employees, including all employees within their supply chain.

If you become aware of a death where there may be eligibility for a claim, you should contact the next of kin of the deceased directly. You should explain the scheme to them and the process to be followed if a claim is appropriate.

**Application process**

As the employer, you’ll oversee the completion of the claim form and payment details.

You should signpost the claimant to our website to download the HSC Life Coronavirus Assurance Scheme 2020 claim form .

All applications need to be made in paper format. Applications will not be accepted for this scheme online.

The claim form should be completed by the legal personal representative or a solicitor acting for the estate. The claimant will be asked to declare that the information entered on the form is correct, to the best of their knowledge.

The claimant should then send the completed claim form and original supporting documents to you, the employer, and not to us.

You’ll certify on the form that the deceased was eligible for the scheme and that the death was a qualifying death. More information on this is available in the ‘employer certification checks’ section.

Once completed, you should send the claim form, including any completed annexes, and relevant supporting documents to us at hscpensions@hscni.net or by post to

HSC Pension Service

Waterside House

75 Duke St

Derry

BT47 6FP

**Employer authorisation checks**

As the employer, you’re asked to check that the person is likely to be eligible for the scheme and the death falls within the criteria of a qualifying death before making a claim. The Minister for Health for Health and Social Care has ultimate responsibility for deciding if a case meets the eligibility criteria.

Eligibility criteria for the scheme can be found in the HSC and Social Care Life Coronavirus Assurance Scheme 2020 eligibility factsheet .

All eligible employees or registered healthcare volunteers must have been working for an HSC body, or working for an organisation that supports the delivery of, either:

* an APMS contract
* a commissioning contract
* a contract or agreement between an HSC trust or foundation trusts and a higher education provider covering the provision of HSC services
* a General Dental Services contract
* a General Medical Services contract
* an integrated care provider contract
* a local authority contract for the provision of health or social care services
* an HSC standard contract
* an HSC standard sub-contract
* a PDS agreement
* a PMS agreement
* a primary medical and dental services contract

In addition to the Employment and Contract eligibility requirement, the Minister for Health must be satisfied that on the basis of evidence, the individual was exposed to a high risk of contracting coronavirus in circumstances where they could not reasonably avoid that risk due to the nature and location of their work.

Circumstances that likely fall within these criteria are where the individual was:

•testing or diagnosing whether a person has been infected with coronavirus (COVID-19)

•caring for or treating a person who has, or is suspected of having, coronavirus

•any type of service that is provided directly within the environment or facilities where diagnosis or care is occurring

Where the individual was performing duties that do not fit these scenarios, or it’s difficult to establish the presence of coronavirus in the workplace, the claimant is invited to explain why they think the individual was exposed to a high risk of contracting coronavirus because of the nature and location of their work. The claimant’s explanation will be appropriately considered.

Only qualifying deaths will be eligible to receive this life assurance lump sum.

For a death to be classed as qualifying, the Minister for Health must be reasonably satisfied that the individual contracted coronavirus in the course of their work. The Scheme asks for evidence that the individual was at work performing their duties in the 14 days before the start of their coronavirus symptoms. A longer period may be accepted where supported by medical evidence. The Minister for Health must also be reasonably satisfied that coronavirus disease was wholly or mainly the cause of death.

Where coronavirus is not present on the death certificate, the Scheme may ask for further medical evidence.

The scheme is time limited, so the death must have occurred before section 45 of the Coronavirus Act 2020 ceases to have effect. The Minister for Health will announce when this will happen and there will be a further 6-month period for claims to be made.

**Supporting documents**

The claimant should provide you with a fully completed claim form and original supporting documents.

You should include a verified photocopy of the documents with the application form you send to us.

Supporting documents must include:

* the death certificate
* Grant of Probate or Letters of Administration

Please advise claimants that claims will be assessed for eligibility without Grant of Probate or Letters of Administration but that payment cannot be made without one of these documents being provided to the HSC Pension Service.

Where applicable an English translation of any certificate should be provided.

If there’s more than one legal personal representative listed on the Grant of Probate or Letters of Administration you should check that each legal personal representative has completed a claim form annex declaring their agreement that the life assurance lump sum be paid to the claimant, the named legal personal representative or the solicitor who has completed the claim form.

Payment

We’ll process the application and pay the life assurance lump sum into the bank or building society account of the estate or issue a cheque to the claimant.

We’ll notify the claimant and all legal personal representatives that the life assurance lump sum has been paid.

We’ll then notify you, the employer, that the life assurance lump sum has been paid.

Where the death falls within the Scheme, payment will be made within 30 days of us receiving a certified claim form and supporting documentation from you the employer.

If the life assurance lump sum is not paid within 30 days, we’ll pay interest on the unpaid amount.

Interest will be paid at the bank base rate.

However, if the life assurance lump sum was not paid within 30 days as a result of some act or omission on the part of the claimant, no interest will be paid.

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