

The Macfarlane Trust

GRANT MAKING POLICY (2)

Widows and other Dependants of Deceased Persons

March 1991

Approved by Trustees on 7th March 1991

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Assistance to Widows and other Dependants of persons deceased

INTRODUCTION

1. This document is prepared as a result of deliberation by Trustees in the period Oct 90 to Feb 91 intended to produce a new policy to run in parallel with the November 1990 document on Grants Policy.
2. It is therefore based on current rates of expenditure and takes no direct account of the effect of personal settlement payments on the long term finances of the Trust, though it does assume that this payment will be taken into account when considering individual assessment of need.
3. As with the Main Grants Policy it could therefore be subject to future financial constraint.

ELIGIBILITY

4. The Trust deed requires the Trust to provide assistance for "..... the needy spouses, parents, children or other dependants of such persons who have died".
5. There are thus two criteria for the receipt of assistance from the Trust. A person must:
 - 1) have a dependant relationship with a deceased registrant which existed at the time of his death;
 - and
 - 2) be "needy".

The application of these criteria is considered in detail below.

6. Eligibility will continue for so long as both of the criteria apply.

The dependant relationship

7. This criterion applies to the following four groups mentioned in the Trust Deed:
 - 1) spouses - widows. Also includes cohabitants who had been:
 - a) accepted for social security purposes as living together as husband and wife with a deceased registrant at the time of his death
 - or
 - b) declared by registrant and accepted by the Macfarlane Trust as his spouse.

If a widow or former cohabitant remarries or forms a new dependant relationship she will not be eligible for further assistance from the Trust.

2) parents of a deceased adult registrant who were dependant on the registrant at the time of death. Usually this will involve shared residence with the registrant. (Parents of deceased children are not dependants and hence are the subject of a separate policy document).

3) children - dependency will be recognised for as long as child benefit is in payment, or the child is in full-time education or beyond if there are circumstances (eg disability) which would have continued the dependance;

4) other dependants, who are accepted as such at the Trustees' discretion. (There are none known in this class at present.)

The term "needy"

8. In the case of widows, and other recognised spouses, the Trustees accept that the circumstances in which the criteria of need apply are as follows:

- 1) in the shorter term, to
 - the bereavement and a period of adjustment
- 2) in the longer term, to
 - widows who are HIV infected
 - widows with dependant children
 - widows who are disabled or chronically sick

In this context, the term disabled or chronically sick will normally be applied only to those in receipt of invalidity benefit or mobility allowance or attendance allowance.

9. In the case of dependant parents of adults the criterion of need will apply in the following circumstances:

- 1) in the shorter term, to bereavement
- 2) in the longer term, to parents who are disabled or chronically sick

Since dependants in this category will almost invariably be past retirement age the criteria for disablement and chronic sickness used in para.8 may not be relevant and hence this assessment will be at the Trustees' discretion.

10. The criterion of need as applied to children will normally be measured in the terms of the widowed mother (8,2). Special needs for single payments related to education may be considered separately, both while under the care of the mother and subsequently through a period of tertiary education or specialist training, but not beyond the completion of a first degree course.

11. No general rule is made for orphaned children. The Trustees will consider any such case individually.

TYPE AND LEVELS OF ASSISTANCE - GENERAL TERMS

12. The level of assistance the Trust is able to make is in every case dependant both on the degree of need and on the resources available to the Trust, and this general rule applies in the case of dependants.
13. The assessment of financial need will take into account all the existing resources and commitments of the applicant and all statutory sources of assistance. This will include the new (1991) settlement payment.
14. The resources of the Trust may affect not only the overall levels of payment but the relative priorities from one area of need to another.
15. The type of assistance will generally be in the form of a regular supplement to income, or in exceptional cases a single payment to meet a specific and non-recurring need.

A - WIDOWS

16. What is said below about widows applies also to other spouses as defined in para 7(1).

Bereavement

17. An immediate cash payment will be made which for the present will continue at £1,000. Single payments will also be made for expenses due to the deceased's illness, and for funeral costs under standard Trust guidelines. Payments may also be considered for the costs of damage or dilapidation due to the deceased's illness.

Period of adjustment

18. Regular payment will be continued for 6 months at the rate which was being paid to the deceased, after which the long term rate will apply. If the deceased had been receiving the higher standard rate (£28 p.w.) or more, an interim rate of £15 (roughly equivalent to the difference between the higher and the lower standard rates) will be paid for an additional 6 months if this sum is greater than the long term rate.

The longer term

19. Following the period of adjustment, or where there was no regular payment before the deceased's death, regular payments will be made as follows:

- 1) widows who are HIV positive will in all respects be treated in the same way as registrants, including regular payments as in the main scheme;

2) widows with dependant children and widows who are disabled or chronically sick will receive regular payments related to tier two of the main scheme 3-tier system. (i.e. £28-£15=£13 rounded to £15 p.w.). This will apply as follows:

- a) two thirds of the current tier two allowance for the widow (£10 p.w.)
- plus
- b) one third of the tier two allowance for each dependant child (£5 p.w.)
- plus
- c) where Income Support, Family Credit, Housing or Community Charge benefits are in payment an additional payment of one third of the tier two allowance (£5 p.w.)

20. Single payments may be made to assist with needs arising from serious or prolonged illness of a widow or of dependant children, or to meet any emergency. Single payments will not be made to meet normal household or personal expenses, or holidays except for one following bereavement.

B - PARENTS OF DECEASED ADULTS

At the time of bereavement

21. Single payments will be made for all expenses due to the deceased's illness, and for funeral costs under standard rules. Payments will also be considered for the costs of damage or dilapidation due to the deceased's illness.

In the longer term

22. Parents who are themselves disabled or chronically sick will receive regular payments at two thirds the current tier two allowance in the main scheme (£10.00). Where Income Support, Family Credit, Housing or Community Charge benefits are in payment an additional payment of one third of the tier two (£5 p.w.) allowance will be made.

C - CHILDREN

23. In the main, assistance will be made available through payments to the widowed parent. Where a child is orphaned, or for any other reason is not under parental care, the Trustees will consider the individual circumstances within their discretion.

CONCLUSION

24. The regular and single payments specified in paras 17 to 23, are intended to establish a standard pattern. The Trustees will be prepared to consider within their discretion any special needs which do not fall within that pattern.
25. A cost estimate of payments to widows under this policy is attached at Annex A. This is based on statistics as shown in Annex B.

Annex A to
Policy Paper on
Grants to Widows

Assistance to Widows and other Dependants of Persons Deceased
Assessment of Costs - Based on Statistics at Annex B

Long Term Costs

Widows with Children

a.	two thirds current tier 2 allowance	£10 x 55	=	£550
b.	one third for each child	£5 x 83	=	£415
c.	additional payment for those receiving income related benefits	£3 x 50 (say)	=	£150

		Total per week		£1,115

Widows Disabled or Chronically Sick

a.	Estimate 5 @ £10			£50
b.	Additional premium 5 @ £5			£25
				--
		Total per week		£75
		Overall total per week		£1,190
		per annum		£61,880

Notes

1. Present totals are £1,662 p.w., £86,400 p.a. These are artificially high because many are receiving payment well beyond the six-month period, pending decision on policy.
2. Nevertheless actual costs of payments to widows will always be higher than the theoretical long term rate as shown above due to the numbers still receiving payment at the rate their husband had received.
3. Widows with HIV (of whom there are currently 4) are excluded from this calculation since they represent a section of the main scheme. They presently receive a total of £190 p.w., £9,880 p.a.

Annex B
Policy Paper on
Grants to Widows

THE MACFARLANE TRUST

Statistics on Widows - 28 Feb 91

Total Count: 140 (includes 5 remarried and 1 widower)
Of these, 4 are themselves infected and will continue to be
paid according to the main scheme. The remaining 136 are
made up as follows:

Without dependants

Over 60	33	
Over 50	16	
Over 40	17	
Under 40	15	
	--	81

With dependants

3 children	4	
2 children	20	
1 child	31	
	--	55

		136

Current Regular Payment Figures

76 Widows are receiving payment.
This is 7.8% of people receiving payment.

Payment rate is £1,662 p.w., £86,400 p.a.
This is 5.8% of total current payment.

It is expected that 31 payments would be phased out but 10
would be added leaving 55 payments continuing.

N.B. Some widows assessed on the old scheme are still
receiving payments as low as £5 p.w.

Widows receiving original maximum of £20 p.w. were not
raised to £25 p.w. and those receiving £25 were not
raised to £28.

This is based on two factors:

- The promise at bereavement to continue RP 'pro tem'.
- The fact that the raises were tied to the 'HIV'
element.