Childhood Bereavement Network

Public consultation – Bereavement Benefit for the 21st Century

Response from the Childhood Bereavement Network

We are pleased to have been asked to respond to the public consultation on proposed changes to the way individuals receive benefit support following bereavement.

The Childhood Bereavement Network (CBN) is the national, multi-professional network of organisations and individuals working with bereaved children. The CBN has over 250 members, representing dedicated childhood bereavement services, services within children's and adult hospices and other community settings. The CBN promotes the interests of bereaved young people and their families and encourages the development of quality support for them.

Our response

We are responding to this consultation in our role as the 'hub' for these members; you have also received responses from member organisations or individuals.

Our response relates to benefits for those with dependent children; therefore we refer particularly to reforms to Bereavement Payment and Widowed Parent's Benefit.

General points

1. **The needs of children**
   Throughout, the document refers to 'spouse or civil partner'. While these are the people who would receive any financial support, it would be helpful to see more references to the impact of bereavement on children (the 1925 Act, referred to on page 11, explicitly mentioned 'orphans' alongside 'widows').

   Children and young people who have been bereaved of a parent face huge challenges in living with their grief; their need for consistent parental support at this difficult time should be more explicitly acknowledged as a reason behind the payment of bereavement benefit to families. Caring for children as a newly lone parent does not just bring additional financial costs to widowhood (p12), it also brings very significant emotional and practical demands.

   - Surviving spouses living alone with dependent children report more distress than those without children (Lin et al, 2004).
   - Longitudinal studies of bereaved children have found their adjustment to the death of a parent to be closely associated with the capacity of the surviving parent to care for them. This includes the parent's emotional and physical availability (Worden 1996).

- The functioning level of the surviving parent is one of the strongest mediators of children's grief. Parents who struggle most to function are those with financial difficulties, those experiencing many family changes as a result of the death, those with health difficulties, and those with larger families and with younger children. This 'dysfunction' puts children at risk of emotional and behavioural problems (Worden, 1996).

- Children and young people need as much continuity as possible following the death of a parent. Stressful changes and disruptions which accompany or follow a death (such as moving house or school, changed household routines and childcare arrangements) are associated with worse mental health (Haine et al 2008). The longer these changes persist, the greater the detrimental effect on children and young people's behaviour (Worden, 1996).

- Children and young people in families with lower incomes following the death of a parent have lower self-esteem than those in families with higher incomes, and are more likely to have emotional and behavioural difficulties. They show more difficulties with sleeping, concentrating and learning (Worden 1996). Studies suggest that a drop in income and associated lifestyle changes are more predictive of mental health difficulties than the level of income per se (Lin et al).

2. **The long term impact of bereavement**

It is significant that all participants in the qualitative research carried out to inform the review process were within 12-18 months of their bereavement (Oldfield et al, 2012). It is impossible to draw conclusions about the longer term impact of the death on families' circumstances using this evidence. Importantly, the document states that some participants were still in considerable financial difficulty a year to eighteen months afterwards – without longer term follow up we cannot know how long these difficulties will persist.

There is an underlying assumption in the document that 'time heals' and that people 'get over it'. While the individuality of grieving processes is acknowledged in commentary, the move to time-limited support does not seem based on evidence of what bereaved people say they need.

For many bereaved spouses/partners and their children, it may be that the second, third or fourth year of their grief brings harder challenges. Put simply, the first year brings a vast array of new challenges that have to be overcome; however, the second and subsequent years bring the difficult realisation that these challenges will continue for years. This can make the second year after a death especially hard.

- A group of 50 families where a parent had died suddenly were interviewed at various points for up to seven years. For the first several years after the parent's death, managing grief responses was the main preoccupation in family and individual interviews. From the third year onwards, gradually more attention was focused on redefining themselves and reintegrating themselves into life. Five years after the death, many widows indicated that this process was extremely stressful, and were relieved when their distress was defined as another step in their adaptation, rather than a pathological response (Christ, 2010).

- Depression, traumatic stress reactions and perceived stress compromises surviving parents' capacity to care for their children. A study which followed children for two years after their parent's death found that this 'dysfunction' put the children at consistent risk of emotional and behavioural difficulties over the two years (Worden 1996). It is reasonable to assume that this risk persisted beyond the time limits of the study.

- Children and young people's responses to the death of a parent also persist, which impacts on their surviving parent. Significant new differences between bereaved children and their non-bereaved peers emerge two years after the death, including higher levels of emotional/behavioural difficulty, more social problems, lower self-esteem and belief in control over life (Worden, 1996).

- In clinical practice with families where a parent died of cancer, families sometimes report significant problems three years later, despite a relatively mild initial reaction. When a parent dies suddenly, mothers describe their children (regardless of the age at which they were bereaved) as experiencing an exacerbation or revisiting of grief responses as they mature cognitively and emotionally.

The use of the expression 'short term' in the consultation paper *('bereavement benefits should provide support in the short term')* seems to imply a belief that bereaved people should rapidly 'recover'. The move to a single year of bereavement support runs counter to people's experience of the grieving process and is likely to add pressure to an already difficult circumstance.

3. **The eligibility of cohabiting partners with children**
If one of the purposes of reform is to make bereavement benefits fairer, the ineligibility of unmarried partners with children must be addressed. We are not aware of differences between the needs of bereaved children whose parents were married/in civil partnership and those whose parents were cohabiting: it is clearly unfair that the latter group should be ineligible for support. There is evidence of considerable financial hardship for this group. Given that payment of Widowed Parent's Allowance currently ends if the parent begins cohabiting with another partner, and that tax credits are currently calculated on household or couple units whether or not parents are married or in civil partnership, we recommend that DWP extend their recognition of the significance of such relationships.

4. **The lack of evidence on the disincentive to maintain contact with the labour market**
We do not see strong evidence for the assertions in the consultation paper that current benefits disincentivise contact with the labour market. There is a tendency in the paper to use an extreme example as if it were more common practice when referring to this suggested disincentive. For example, on page 13, the expression 'for some recipients' is used when in fact the case is 'very few' recipients. (Corden et al, 2008). Again on page 16, an extreme and very rare example of 20 years on Widowed Parents' Allowance is used as the basis for the case for shortening the period for payment to one year.

5. **Entitlements to benefits for divorced spouses and civil partners with dependent children**
The consultation paper does not discuss the lack of entitlement to bereavement benefits to divorced parents. Usually, the deceased will have been making maintenance payments which are essential to the family. While we appreciate the administrative difficulties of extending eligibility to families in these circumstances, if the benefits are to be considered fair then provision for them is essential.

6. **Taxability of lump sum**
   It is difficult to comment fully on the proposals without information on the taxability of the proposed lump sum. Further consideration is needed on this.

Consultation questions

What benefits and risks do you see in the proposal to move from the current payment system for bereavement benefits to a single lump sum payment?

<u>Benefits</u>

- For some families, the benefit would be the simplicity of the payment; however, we believe that the risks outweigh any benefit.

<u>Risks</u>

- In the chaos following the death of a parent, it is difficult for families to be thoughtful and prudent about financial matters. The Social Policy Research Unit at York University highlight a number of sources of vulnerability in financial decision-making following a death, related to overspending and consumption as a psychological response to grief; pressures in purchasing funerals; 'atypical spending' driven by emotion; financial abuse, and pressures and demands within families.

- There is no account for family size in the lump sum proposal.

- The overall amount paid to individuals and families is significantly reduced under these proposals, even over the span of one year, and certainly for families who, under the previous arrangements, would have been supported for several years.

Would offering a choice between a single lump sum payment and a smaller lump sum with one year's ongoing regular payments be a preferable alternative?

<u>Benefits</u>

- CBN believes that a smaller lump sum and regular payments would be a preferable alternative. However, the time period for payments should be considerably extended (please see evidence under point 2 above).

- However, we believe that this should be the **only** option – not an either/or. Offering an alternative may lead vulnerable families to make a financially risky decision. Those that are eligible for Universal Credit may choose the lump sum (which would be disregarded for 1 year from UC capital rules) over the monthly payments (which would be considered in determining UC eligibility), even if they would actually prefer the regularity of a monthly payment.

- Regular payments would help bereaved families feel better supported over time, and make it easier to manage the unexpected costs of bereavement.

Risks

- One year's payment is far too short in most cases (please see evidence under point 2 above). The payment term should be significantly extended for all families with children.

- There is no account in the payment for family size.

Decision making can be extremely difficult after bereavement. What impact might this have on the effectiveness of options 1 and 2, or a choice between the two?

- This is behind our belief that the second option is preferable and should not be an either/or choice (see above).

Is it right to apply the same time limit for bereavement benefit payments to people with dependent children and those without?

- No. The ongoing and developing needs of bereaved children and their surviving parents are well evidenced (see point 2 above). The time limit on payments to people with dependent children should be extended significantly from the proposed year to take account of children's need for consistent care. In families with young children, payments should continue at least until the youngest child has completed at least one year of full time schooling.

- The Social Policy Research Unit at York University suggests that the longer term financial impact of the death of a partner has much to do with whether the person who died had occupational or private pension arrangements. Younger people (including those with younger children) are likely to have less or no accrued survivor's benefits from partners who had been in the labour market for a shorter time.

Is it right to provide access to the financial and employment support provided by Universal Credit, including the associated conditionality, to those in receipt of bereavement benefits?

- The current proposals for Universal Credit mean that claimants need to prepare and look for work. Many bereaved people – particularly those with children – will not be in a position to do this straight away, yet currently bereavement is not accepted as a reason for having limited capability for work. The conditionality requirements would lead to additional emotional pressures on widowed parents which could in turn increase mental health difficulties, potentially putting children's adjustment at risk and delaying the parent's return to or entry into the labour market.

- Families in lower social classes are more likely to experience the early death of a parent, due to differing morbidity/mortality rates and the likelihood of accidents and violence. People in lower social positions whose partner dies are more likely to live in disadvantaged areas where there are fewer employment opportunities.

- Conditionality requirements should be relaxed for those who are caring for bereaved children. As already described, bereaved children's outcomes are best supported by continued routines and a warm and consistent surviving parent (Worden, 1996; Christ, 2000). Children's needs change over time and they may revisit and re-experience their grief at times of further change: they need the ongoing support of their parent to negotiate these transitions.

- For young children, this includes making the transition to school: many bereaved children become anxious when separated from their surviving parent. We suggest that the conditionality requirements on parents of bereaved children should not come into play until the youngest child has completed at least one year of full time schooling.

- Parents with bereaved children will need flexibility over working hours and support over child care that takes into account the children's emotional concerns. In situations where the person who died was the sole earner, there will be many challenges for the surviving parent to return to the workplace.

- Thorough training and support must be provided to JobCentre Plus workers or Work Programme employees to ensure they have a good understanding of the needs of bereaved spouses/civil partners and their children. They must be able to deal sensitively with the needs of these families.

How do you think the proposal to remove the current age split in determining the level of bereavement benefit payments would impact people?

- Our response is concerned with payments to spouses/civil partners with children who are not currently affected by the age split.

How can the Government minimise any risks you have identified?

- Significantly extend time period for payments beyond one year and relax UC conditionality requirements for bereaved spouses/civil partners with dependent children.

- Continue payments and suspend UC conditionality requirements for bereaved spouses/civil partners with dependent children under six until the youngest child has completed at least one year of full time schooling.

- Take into account the situation of bereaved families where the deceased parent was providing child maintenance.

Are there other forms of DWP support that might be of benefit to recipients of bereavement benefits?

- Financial support following the death of a child (see below).

The current conditions for receiving the Bereavement Payment are based on the deceased husband, wife or civil partner having paid sufficient NI contributions in any one tax year. Do you have any concerns about using this contribution condition to determine entitlement for reformed bereavement benefits?

- The surviving parent's NI contributions could be included as eligibility criteria. This would secure eligibility for families where the employment history of the person who had died was interrupted by serious or chronic ill health, but their spouse/civil partner's contributions were sufficient.

- We have concerns that this requirement excludes families of refugees who may be unable to satisfy the National Insurance contribution threshold. Children of refugees may have already experienced many losses to which the death of a parent in alien surroundings has profound impact.

Do you have any concerns about ceasing to suspend or disentitle from bereavement benefit payments those who cohabit or remarry?

- No, in fact we support this proposal strongly, as children will continue to need support following the death of a parent. A new relationship does not erase the effects of the bereavement on the child(ren) and may, indeed, add ‘secondary losses’ (such as a change of home or school) which would add further pressures and challenges to these children’s experience of bereavement. They would require the same amount of support – if not more. The bereavement payments should be protected when there are children involved.

Do you have a preference between the proposed benefit names, or can you suggest an alternative?

- We prefer ‘Bereavement Payment’ – and definitely not ‘Bereavement Benefit’ – this implies there might be some ‘good’/benefit for families who have experienced the death of someone close. ‘Bereavement Allowance’ also fits.

Is there anything else you would like to tell us in relation to our proposals to reform bereavement benefits?

- We believe that public awareness of these benefits is low and that strenuous efforts, for example a link to the ‘Tell Us Once’ service, to inform all bereaved families of this financial support is necessary. We note with alarm that, previously, people have either not claimed benefits to which they were entitled, or submitted a claim too late. Anything that can be done to ease the payment of this benefit would be important.

- We will work with our member organisations to raise awareness of current and future bereavement benefit arrangements.

Support for bereaved parents when a child has died

The proposal deals with the existing payments; however, we are aware of the urgent need for some financial support for parents following the death of a child. A recent study heard from families in hardship who pointed out that:

- benefits cease the day the child dies; families have needed this support to keep functioning while caring for a very sick child and find themselves with no financial support immediately after the child dies
- unemployed parents, already exhausted by the care of the dying child and siblings, therefore have to face the immediate prospect of looking for employment, possibly after an enforced gap in employment status
- employed parents may only be allowed a set limit of paid (and unpaid) compassionate leave; this may be as little as three days
- access to grants for funeral expenses for children are not straightforward.

We recommend that the Department for Work and Pensions undertakes further exploratory work on the financial impact of the death of a child, and appropriate responses in the benefits system, and uses the findings to inform a consultation on support for families in these circumstances.

Further details

For more details on this response, or the work of the Childhood Bereavement Network, please contact Di Stubbs or Alison Penny

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Childhood Bereavement Network March 2012

References

Christ (2000) *Healing Children's Grief: Surviving a Parent's Death from Cancer* New York: Oxford University Press.

Christ (2010) Children bereaved by the death of a parent in Corr, A and Balk, D (eds) *Children's encounters with death, bereavement and coping* New York: Springer Publishing.

Corden, A et al (2008) *Financial implications of death of a partner* Working Paper No ESRC 2288, Social Policy Research Unit, University of York, York.

Haine R et al (2008) Evidence-based practices for parentally bereaved children and their families *Prof Psychol Res Pr.* 39:2, 113-121.

Lin, K et al (2004) Resilience in parentally bereaved children and adolescents seeking preventive services *Journal of Clinical Child and Adolescent Psychology.* 33:4, 673-683.

Oldfield et al (2012) *Bereavement benefits: Findings from Qualitative Research* Research Report 790, Department for Work and Pension, London

Social Policy Research Unit (2012) *Bereavement benefit for the 21st Century: Response to the consultation* *http://www.york.ac.uk/inst/spru/pubs/pdf/BereavementBenefitsDWPsubmission.pdf*

Worden, JW (1996) *Children and grief: when a parent dies* New York: The Guilford Press.