

# Dealing with a missing relative's affairs: Benefit payments

*This leaflet is intended as an introduction for families looking to deal with a missing relative's benefit payments. It has been written as a guide and should not be taken as legal advice.*

Whilst the majority of missing people are found or re-establish contact within a reasonably short period of time, those absent for a week or more can leave behind practical, financial and legal matters that their family may need or want to look after. This may include matters connected to the missing person's benefit payments.

Having a relative go missing can be an anxious and difficult time, and considering how their absence may impact on their financial affairs may feel like a daunting task. This leaflet aims to provide information on those questions families most frequently ask Missing People in connection to benefit payments.

## **Should the benefits office be informed that my relative is missing?**

Yes. It is important that the authorities are aware of the circumstances of those claiming benefits and if these change. This is to ensure that the right benefits are being paid and to avoid overpayment – this is particularly important as if overpayments are made, then these may need to be paid back.

As paying back any overpaid benefit could be damaging for the financial wellbeing of the missing person (if they receive benefit in their own right) or the family (if the missing person is a dependant who is part of an award – that is part of a group of individuals who collectively have been granted a benefit), it is therefore very important that the benefits office is informed as soon as possible after your relative has gone missing.

## **Who should inform the benefits office that my relative is missing?**

Generally changes of circumstances should be reported by the benefit claimant. As this is not possible when the claimant is missing, another person will need to contact the benefits office in their place. This will not be done automatically when your relative is reported missing and therefore it will need to be done proactively – this could be by a relative or another person known to the missing person.

### **My missing relative receives benefit in their own right. Will their status as a missing person impact on their benefit payments?**

If your relative is under pension age, it is likely that their benefit payments will be affected by their absence. The standard process here is that these payments will be suspended following the benefits office being notified that the claimant is missing. If the claimant then does not contact the benefits office within one month, their entitlement will be terminated.

If your relative is found or returns after this period, it is likely that they will need to make a new claim for benefit.

### **My missing relative is a dependant who is part of a benefit award. Will their status as a missing person impact on the benefit payments?**

If the missing person is a dependant who is part of an existing award, this is treated as a change of circumstance and the benefits office will amend the award in line with this. Again, it is important that this is done sooner rather than later to avoid any overpayment of a benefit that may need to later be paid back.

If the missing person returns, this again can be treated as a change of circumstance and the original award reinstated if appropriate.

### **I am concerned about the impact that suspending or terminating my missing relative's benefit payments will have on their financial wellbeing. Who can I talk to?**

Whilst suspending or stopping benefit payments may be of concern to your family, as mentioned above, this is to ensure that overpayments are not made that your relative may then need to repay.

If you would like to discuss your relative's circumstances and your concerns, you can contact an advisory organisation such as the Citizens Advice or the Money Advice Service for information and advice on finances. You can find information about Citizens Advice online at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) or by calling 03444 111 444 if you are in England, or 03444 77 20 20 from Wales. The Money Advice Service can be found at [www.moneyadviceservice.org.uk](http://www.moneyadviceservice.org.uk) or by calling 0300 500 5000. Please note that calls to these numbers may be charged – check their websites for details.

### **I am a dependant of my missing relative, and am concerned about the implications on me should their benefits payments be suspended or terminated. Who can I speak to for advice?**

If you would like to discuss your relative's circumstances and your concerns, you can contact an advisory organisation for information and advice, such as those mentioned in the answer above. You

can also get further suggestions of organisations that may be able to help in our [Legal and Financial Directory](#).

### Who can support me through this time?

Missing People recognises that dealing with a missing relative's affairs can be daunting and upsetting. Our team is available around the clock if you would like to talk about how you are feeling throughout this process, and can be reached by phone or text on **116 000**, or at [116000@missingpeople.org.uk](mailto:116000@missingpeople.org.uk).

You may also find other information on the [Managing a missing person's affairs](#) section of our website useful which covers other potential concerns relating to your missing relative's – or your own – finances or legal position.

For a copy of this guidance via post, please call **116 000**.

Missing People would like to thank the Big Lottery Fund for supporting the work of the charity.



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For further information and guidance on the issues addressed in this guidance sheet, or for support relating to any aspect of someone going missing, call or text Missing People's free and confidential 24 hour helpline on **116 000** or email [116000@missingpeople.org.uk](mailto:116000@missingpeople.org.uk)

Whilst this information has been provided in good faith, it should not be taken as legal advice. For information tailored to your circumstances, please contact your police force, solicitor or an advisory organisation as appropriate to your query.

Please let us know whether this guidance has been useful, either by answering a few short questions at <https://www.surveymonkey.com/s/MissingPeopleGuidance> or by emailing your comments to [policyandresearch@missingpeople.org.uk](mailto:policyandresearch@missingpeople.org.uk)