

Payments for Widows, Widowers, Civil Partners and Long Term Partners of Beneficiaries who have died

Introduction

The Scottish Infected Blood Support Scheme (SIBSS) is managed by NHS National Services Scotland. It replaces the previous support provided by UK-wide schemes (such as the Caxton Foundation, the Macfarlane Trust and the Eileen Trust) for those who are Scottish beneficiaries. This document sets out details of the policy on payments for widows, widowers, civil partners or long-term partners of an infected person who has died and who is eligible for payments after the infected person's death. This document provides guidance on the policy set out in the SIBSS Scheme Document, which is available on the [Scottish Government website](#). The Scottish Government has agreed that eligible widows, widowers, civil partners or long-term partners should receive a regular annual payment, which is 75% of the amount their spouse, civil partner or long-term partner would have been eligible for if they were still alive.

This is currently:

- £20,594 per year if your spouse, civil partner or long-term partner was infected with advanced Hepatitis C (sometimes referred to as 'Stage 2') or HIV
- £28,222 per year if your spouse, civil partner or long-term partner was coinfecting with both Hepatitis C and HIV
- In some cases, you may be eligible for £20,594 per year if your spouse, civil partner or long-term partner was infected with chronic Hepatitis C (sometimes referred to as 'Stage 1') and Hepatitis C directly contributed to their death – see below for more details on this.
- If your spouse or partner had chronic HCV, but you are not eligible for an advanced HCV payment (as above), you can still receive widows' chronic HCV regular payments at 75% of the level your spouse or partner would be eligible for if they were still alive. See link for full details of these payments: -

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<https://www.nss.nhs.scot/publications/sibss-guidance-and-application-forms-on-regular-payments-for-chronic-hcv-infectees-widows-ers-or-partners/>

What is a long-term partner?

A long-term partner is a person you were living with as a partner in an exclusive, long-term committed relationship. To establish whether you qualify as a long-term partner, SIBSS may make enquiries about your relationship with your deceased partner, including household arrangements and any children you may have together. The relationship should be comparable to that of a married couple or civil partnership, and you cannot have been married to, or in a civil partnership or any other relationship with someone else at the same time. Normally you would be expected to have been living with your partner for at least one year prior to their death. However, if you were living together for less time than this, but there are particular reasons why yours was still a long-term relationship, SIBSS will consider all the relevant information about your relationship in coming to a decision.

What happens if your spouse, civil partner or long-term partner dies after April 2017?

If your spouse, civil partner or long-term partner was already receiving a regular payment from SIBSS due to their chronic or advanced Hepatitis C and/or HIV and they die, then you should let the scheme know as soon as possible. They will ask you for details to confirm your identity and that you were the beneficiary's spouse, civil partner or long-term partner and were living with them at the time of their death. Once this is confirmed, you will be eligible to receive payments at the same level as your spouse, civil partner or long-term partner for twelve months from the date of their death.

After the first twelve months, you will automatically start to receive payments at 75% of the rate your spouse, civil partner or long-term partner would have been entitled to if they were still alive, although you must notify the scheme if you marry someone

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else or enter into a new civil partnership or long-term partnership. You must also notify the scheme if you are in prison as regular payments won't be made to you while you are in prison, but you can receive them as soon as you are released. These payments will be paid monthly.

What happens if your spouse or civil partner died before April 2017?

If your husband, wife, civil partner or long-term partner is already dead or if they were already deceased before they are registered with the Scottish Infected Blood Support Scheme, then you can apply to receive an annual payment of 75% of what your spouse, civil partner or long-term partner would have been entitled to if they were alive. If your spouse, civil partner or long-term partner was not registered with SIBSS or any of the UK schemes then you (or whoever is responsible for managing their estate) will need first to apply to register them with the scheme – you should contact SIBSS to get the relevant application form for this.

If your husband, wife, civil partner or long-term partner was receiving regular monthly or quarterly payments before they died and was allocated as a 'Scottish' beneficiary by the Skipton Fund or MFET, then you will automatically qualify for this payment if you meet the criteria below:

1. you were still married to or in a civil partnership or in a long-term partnership with your spouse, civil partner or long-term partner when they died and you were living together at that time (if you were divorced, your civil partnership had been dissolved or you were separated then you will not be eligible);
2. you have not since remarried or entered into a new civil partnership or long-term partnership with someone else;
3. you are not currently in prison. As this payment is to help with your living costs, it is not paid while you are in prison. However, if you are in prison, you can claim these regular payments as soon as you are released;
4. if you are also infected with advanced Hepatitis C or HIV yourself, you will not be eligible for a widows annual payment if you are receiving regular annual

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payments in your own right. However, you can receive the widows annual payment if you have chronic Hepatitis C (sometimes known as Stage 1). You can only receive one set of regular payments so if the widows' payment would be higher, you will receive this, but if your chronic HCV regular payment would be higher then you would receive that instead.

If you have already received support from one of the former UK schemes (the Caxton Foundation, the Macfarlane Trust or the Eileen Trust) then your details should have been passed on to SIBSS and they will contact you if you are likely to be eligible and send you an application form. If you have not been contacted by SIBSS, please contact the SIBSS team and they will send you a form to complete. While most of the former UK schemes have now closed down, it may still be possible to confirm that you were registered with them.

If your husband, wife, civil partner or long-term partner was already receiving an annual payment, then you will need to complete a short application and provide a copy of your marriage or civil partnership certificate; or evidence to support your long-term partnership (e.g. proof of shared financial arrangements), along with a copy of your photo ID (such as a driving licence, passport or bus pass) and proof of your address (such as a bank statement). You will also be asked to confirm the date of your spouse, civil partner or long-term partner's death, that you were living with them when they died and that you have not since remarried or entered a new civil partnership or long-term partnership

How to apply if your spouse, civil partner or long-term partner had chronic Hepatitis C (Stage 1)

If your husband, wife, civil partner or long-term partner had chronic Hepatitis C and was a Scottish beneficiary (either registered with SIBSS or previously registered with the Skipton Fund as a 'Scottish' beneficiary) then you can still apply for an HCV annual payment if you meet the four criteria above – see separate guidance on applying for chronic HCV regular payments:-

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<https://nhsnss.org/services/practitioner/medical/scottish-infected-blood-support-scheme/existing-members-of-the-scheme/>

However, if you want to receive an advanced HCV annual payment, which is a higher level of payment than the payments for chronic HCV, there will also need to be sufficient evidence that, on the balance of probabilities, Hepatitis C directly contributed to your spouse, civil partner or long-term partner's death.

This means you will need to complete the same form as the one for widows, widowers, civil partners or long-term partners of beneficiaries with advanced Hepatitis C or HIV, but you will also need to provide:

- a copy of your spouse, civil partner or long-term partner's certificate of registration of death (death certificate)¹;
- contact details for an appropriate doctor who can provide relevant evidence about the cause(s) of your spouse or civil partner's death. Ideally this should be completed by a Hepatitis C clinical specialist who was involved in treating your spouse or civil partner for Hepatitis C, but clearly this may not be possible if they died some time ago. In such cases, another hepatologist/infectious diseases consultant can be nominated if they have access to your spouse, civil partner or long-term partner's records or alternatively your spouse, civil partner or long-term partner's GP may be nominated.

SIBSS will then contact the nominated doctor and ask them to explain briefly why they believe that, on the balance of probabilities, Hepatitis C or treatment for Hepatitis C directly contributed to the spouse, civil partner or long-term partner's death.

In some cases, SIBSS may consult another Hepatitis C clinical specialist and clinical records to help verify whether, on the balance of probabilities, Hepatitis C infection directly contributed to your spouse, civil partner's or long-term partner's death.

¹ we are aware that Hepatitis C may not have been mentioned on the death certificate even where it did contribute to their death so just because it is not mentioned does not mean your application will necessarily be refused

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Where needed, if your spouse, civil partner or long-term partner was living in either another country of the United Kingdom or outside the UK when they died, then SIBSS may contact relevant clinicians in the health service of that country for further information on the cause of death.

What other support is available for widows, widowers, civil partners and long-term partners?

If you do not qualify for an annual payment based on the criteria set out above, you may still be eligible for support from the Support and Assistance Grants part of SIBSS if:

- you were the wife, husband, civil partner or long-term partner of someone who was infected with Hepatitis C or HIV and was registered with SIBSS or was previously registered with one of the UK schemes as a Scottish beneficiary.
- if you were not married or in a civil partnership, you will still qualify as a long-term partner, provided you can show that you were living with the beneficiary in a relationship similar to a marriage and were not married to or in a civil partnership with anyone else at the time (if you have previously received support from an existing UK scheme as a partner, you may not need to provide evidence of this);
- you were still living with them when they died and had not either divorced or had your civil partnership dissolved.

Any such widow, widower, long-term partner or civil partner of a deceased beneficiary will be able to apply for an increased living costs supplement of £1,000 per year to help fund the increased longer term costs associated with their spouse, civil partner's or long-term partner's death or illness if they do not qualify for a regular annual payment. This payment is not means tested so anyone can apply, although you are encouraged only to apply if you feel you need extra financial support.

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You can also apply for income top-up support if you are on a low income and are receiving widows' chronic HCV regular payments. If your household income, including any benefits you receive and your chronic HCV regular payment, is below a certain threshold level, you will be able to receive payments to top-up your income to that threshold level. The threshold level varies depending on the size of your household – it is higher if you have children under 21 years old living with you. Contact SIBSS or look at the guidance on Support and Assistance grants for more details of the threshold level which applies to you and to get an application form. They can also help with advice on filling in your form.

Finally, if you have been receiving regular financial support from either the Caxton Foundation, the Macfarlane Trust or the Eileen Trust, but you think you don't qualify for an annual payment and will get less support from the Support and Assistance grants scheme than you did previously, please email or telephone SIBSS staff and they will be happy to look into this for you.

Contact details

If you have any queries about this or would like to be sent an application form, you can call SIBSS on 0131 275 6754 or email NSS.SIBSS@nhs.scot. There is also further information about the scheme on the website at <https://www.nss.nhs.scot/patient-support-schemes/scottish-infected-blood-support-scheme-sibss/>