

BEREAVEMENT GUIDE

Supporting you with practical help at this difficult time



M&S
— BANK —

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About this guide

When someone close to you passes away, it is always a difficult time and everything can seem overwhelming.

This guide has been created to help and support you. M&S Bank can help with some of the tasks you may be facing.

If you haven't already done so, you can notify M&S Bank through one of the following ways:

1. Online - visit: marksandspencer.com/bereavement-support. Our online guide provides information to help you and a link to an online notification form that you can complete at a time and place best for you.
2. The Death Notification Service is a free service which allows you to notify a number of banks and building societies of a person's death, at the same time. M&S Bank are involved in this service and can receive notifications through them. For more information visit: deathnotificationsservice.co.uk.
3. Any HSBC branch will be able to receive any documentation and send it to us on your behalf.
4. If you need to speak to us you can call us on 0345 300 6139. Lines are open 9am-5pm Monday to Friday (excluding bank holidays).

Section One:

Initial steps to take

What to do first

There are some important steps you'll need to take when dealing with a bereavement. You may have dealt with some of them already before reading this guide.

- register the death
- locate the Will
- arrange the funeral
- consider your financial support
- let other organisations know
- deal with the estate
- send us the documents and forms requested.

Register the death

After someone passes away, their death must be registered. You can do this at any register office. You can find your nearest register office and more information, such as what documents may be required, at [gov.uk/register-a-death](https://www.gov.uk/register-a-death).

The register office will give you a death certificate. Some organisations may request an original copy, and you may want to ask for extra copies.

If our checks are unsuccessful, we will ask for the death or coroner's certificate.

Locating the Will

A Will contains the last wishes of a person who has passed away, in particular about who they want to inherit their estate.

You'll need to find the last known signed and witnessed version of the Will. If you can't find a Will at the the person's home, it's a good idea to ask their solicitor, bank, or financial advisor if they have it.

A Will usually names one or more executors who will be responsible for dealing with the estate.

What happens if there isn't a Will?

If someone passes away without making a Will or you're unable to locate a signed Will, they are said to have passed away 'intestate'. The law on who will inherit the estate will vary depending on where the deceased lived, and in some circumstances, their religion. In England and Wales, the Laws of Intestacy apply and the person who will inherit the estate is the next of kin – usually their husband, wife, civil partner or their child/children. Unmarried partners are not considered next of kin. In Scotland, different rules apply.

To find out more about the rules in Scotland and what to do if there is no Will, visit: mygov.scot/when-someone-dies.

Arrange the funeral

Once the death has been registered, you can arrange the funeral. You may already know what sort of funeral the person wanted, or there may be instructions in the Will or in other papers, like a prepaid funeral plan. A funeral director can help you with arrangements.

The National Association of Funeral Directors and The National Society of Allied and Independent Funeral Directors, can provide you with contact details for funeral directors who have to abide by codes of practice and high standards of service.

- The National Association of Funeral Directors: nafd.org.uk.
- The National Society of Allied and Independent Funeral Directors: saif.org.uk.

One important point to consider is how much to spend. Funerals can be expensive, and may need to be paid for immediately. Unless a prepaid funeral plan exists, it's worth checking how much money is available to pay for it.

It is possible for the funeral bill to be paid direct from the deceased's estate. Please check with us, or with their other bank(s) if they have other accounts, to see if money can be released to pay for the funeral.

Consider your financial support

If the loss of a partner means you have lost your main household income, or if you are struggling to pay the funeral bill, you may be entitled to financial help or benefits. Visit [gov.uk/funeral-payments](https://www.gov.uk/funeral-payments) for more information. M&S Bank will be able to release funds, from accounts with available credit balances, for the following:

- full or part payment of the main funeral bill and associated costs
- flowers for the funeral
- the wake
- repatriation of the deceased to the UK (if insurance is not held)



On receipt of the original invoice we'll make payment direct to the funeral directors. We can't accept estimates to settle the bill in full. However, we can accept the funeral director's estimate if a deposit is requested to be paid prior to the funeral taking place.

We will require the funeral director's bank account details to process the payment more quickly. For more information or guidance, please contact our bereavement specialists on 0345 300 6139 or if the person who has passed away held a savings or investment account call 0345 266 0450.

Let other organisations know

In addition to informing friends and family of your loss, there will be a number of organisations you'll need to inform, from other banks and building societies to utility companies. You'll also need to locate legal documents such as passports and driving licences that will need to be returned and cancelled.

On [page 23](#) of this guide, you can find a useful list of organisations you may need to contact. One of the easiest ways to inform financial organisations of a death is through the Death Notification Service which is a free online service that allows you to notify a number of banks and building societies all at the same time. Visit: deathnotificationservice.co.uk.

Each organisation will tell you if they need to see any documents, such as the death certificate.

Deal with the estate

Anyone responsible for dealing with the estate is known as a 'personal representative'.

- If there is a Will, this is anyone named as an 'executor'.
- If there is no Will, this is the immediate next of kin, visit gov.uk/inherits-someone-dies-without-will.

What a personal representative has to do

- Make an inventory of everything in the estate and work out the total value.
- Calculate and settle any inheritance tax and other tax liabilities.
- Apply for probate, if required.

- Collect all assets (such as shares and investments) and settle any debts, including mortgages and loans.
- Sell any property or investments that the Will doesn't specifically transfer to someone else.
- Distribute the estate to the beneficiaries.

The personal representative's options

If you are the personal representative, you can decide whether you want to:

- deal with the estate yourself; or
- appoint a solicitor or specialist probate service to do some or all of it for you.

What is probate?

Probate (or 'confirmation' if you live in Scotland) is a general term used to describe the process you may need to go through to apply for the legal right to deal with an estate.

The process involves applying to the Probate Registry, who formally confirm if a Will is valid or, if there is no Will, check that you are legally allowed to deal with the deceased's estate. Once they are satisfied, they'll issue a legal document called the grant of probate, or the grant of letters of administration (if there wasn't a Will). This document formally names the person(s) responsible for dealing with the estate. In Scotland, both documents are known as 'confirmation'.

Once the personal representative has received probate, they will need to show the legal document to banks, building societies and other organisations to prove that they have authority to deal with any assets the person who passed away owned.

Is probate required?

Probate is not required where all the deceased's assets are held jointly with another person and where they pass automatically to the joint owner.

For more information and to find out if you need to apply for probate, visit: [gov.uk/applying-for-probate](https://www.gov.uk/applying-for-probate).

Where the value of the deceased's assets held in their sole name is greater than £5,000, probate may be required. Most financial institutions have individual discretionary limits for releasing assets without seeing the legal document.

At M&S Bank it's important that we support you as an individual. Every case will be reviewed by one of our bereavement specialists and decisions will not be made solely on the value of the estate.

Please be aware – if the deceased owned a property in their sole name, probate will always be required before it can be sold or transferred.

How to apply for probate

To apply for probate yourself, you need to complete some application forms and send them to your local Probate Registry office. You can download these from: gov.uk/applying-for-probate/apply-for-probate.

In Scotland, you apply to the Sheriff Court instead of a Probate Registry office. Visit: mygov.scot/confirmation for more information, or contact a solicitor.



Inheritance tax

Depending on the value of the estate and who it is left to, you may have to pay inheritance tax. Generally, some or all of the inheritance tax must be paid before probate is granted. This is normally paid by the personal representative, using money from the estate. It may be possible for M&S Bank or another bank to pay this using money held in the deceased's accounts.

If there isn't enough money available in the account to pay the inheritance tax, you can get further information from [gov.uk/inheritance-tax](https://www.gov.uk/inheritance-tax). This includes the current limits and ways to pay.

Other taxes

The personal representative is also required to settle other taxes such as Income Tax and National Insurance for the person who has died. Contact HMRC and they'll tell you what to do. For more information: [gov.uk/after-a-death](https://www.gov.uk/after-a-death).

Documents you may need to send us

The information you provide will be used to administer the deceased customer's estate and may be used to contact you in relation to this.

The documents we may require are listed in the following section, depending on the circumstances.

If you are unsure about the information you need to send to us, then please contact us and we'll be able to help you.

After you have notified us that a person has passed away, for a short time, mail may still be sent from us. This is because it is prepared and printed several weeks in advance. We make every effort to avoid this happening but should you receive any such mail, please accept our apologies.

Documentation required

If our checks to verify the death online are unsuccessful, we may need to see the death or coroner's certificate, which we can accept as a photograph or scanned image, rather than you posting the original documents.

There may be circumstances where we need to see the Will. If required, we will let you know.

If a personal representative of the deceased does not already bank with M&S Bank, we'll need to electronically verify their identity. If the checks are unsuccessful, we may need additional documentation (e.g. full or provisional driving licence, passport, utility bill or armed forces ID card).

We may also need to see the original sealed grant of probate or letters of administration (or in Scotland this is called 'confirmation'). If required, we will let you know and explain how you can send this to us.

Certifying documents

Please ask a professional person (from the opposite list) to sign, date and witness the document(s) and to certify it, using the following wording:

"I (full name of certifier) confirm that this is a true copy of the original document which I have seen and the photo is a true likeness of [your name]."

Or for documents without a photo:

"I (full name of certifier) confirm this is a true copy of the original document, which I have seen."

All certified photocopies must include the information on the front of the documentation, as detailed below:

- certifier's signature and printed full name
- certifier's profession and position within their organisation (and registration number if applicable)

- certifier's home address (if signed in a personal capacity), phone number and email address
- certifier's work address (if signed in a professional capacity), on letter headed paper or stamped with their work phone number and email address
- date of certification.

Acceptable certifiers for certified photocopy documents

- general practitioner (GP)
- pharmacist
- dentist
- nurse
- optician
- solicitor
- barrister
- chartered legal executive
- chartered accountant
- independent financial advisor approved by the Financial Conduct Authority.

Unfortunately, we cannot accept any document(s) certified by you, a family member or someone not listed as an approved certifier. The certifier should be an active/practising member of their profession. We may contact the person certifying for further verification if required.

Where to send the documents to

PO Box 325, Wymondham, NR18 8GW. You can also visit: marksandspencer.com/bereavement-support to notify us of a bereavement or send us a death certificate by using our online notification form.

Please do not post original photo identity documents to us.

All high value documents will be returned to you in the post.

HSBC branches can also accept deceased-related documentation for M&S Bank customers and will take a copy of the documents needed. You can find your nearest branch by visiting: hsbc.co.uk/branch-finder.

Section Two:

Sorting out M&S Bank products and services

So that you know what to expect, we've summarised what happens for each type of product or service held with us in the next few pages.

Following the notification of your loss, we will pass the information on to the relevant areas within M&S Bank.

If the person who passed away had investments with M&S Bank, these will be dealt with separately and the relevant teams will contact you to confirm the next steps.

Credit cards, store cards, Club Rewards and personal loans

Credit cards and Store cards

Whilst our policy is to cancel all credit cards, including cards held by a second cardholder, when we receive notification of your loss, we will consider each individual circumstance and provide help where necessary.

If an additional cardholder wishes to apply for a credit card in their own name, we'll be happy to help guide them through the process.

Any outstanding balance will be expected to be repaid from the estate.

Club Rewards

When we have formal confirmation of your loss we will cancel any active Club Rewards membership. Any existing vouchers can still be redeemed before their expiry date.

If travel insurance was held as part of the membership, the travel policy will be cancelled and anyone else covered on the policy will need to arrange a new M&S Travel Insurance policy or one with another provider.

We will consider each individual circumstance and provide help where necessary.

Personal loans

When we have formal confirmation of your loss we will freeze the loan and calculate a settlement figure from the date of death.

Loyalty points and subscriptions

Loyalty points

Any accrued loyalty points up to the date of death can be transferred, upon request, to another M&S account.

Any existing loyalty vouchers can still be redeemed before their expiry date.

Subscriptions

You will need to cancel any regular subscriptions being paid from any M&S account(s), i.e. Sky, iTunes, Netflix, Amazon Prime, Spotify. We are unable to cancel subscriptions on your behalf, therefore they will continue to be charged to the account.

Cardsafe and general insurance

Cardsafe

If Cardsafe cover is held by the person who passed away, you will need to contact Cardsafe directly to have this cancelled and you may need to send the death certificate to them.

Insurance products

Our insurance products are managed for us by trusted partners and you will need to contact them using the details on the back of this booklet. Once you've notified them of your loss they will manage any closures, changes and refunds, where required. You may be asked to clarify insurance policy numbers and further details in some instances.

If a home insurance policy has been in place in joint names, there will be an option to transfer the policy to the sole policyholder, if you wish to do so.

If the deceased was a named driver on a car insurance policy, the deceased's name can be removed from the policy. Where the deceased was the main policyholder, the policy will be cancelled and the new owner of the vehicle will need to take out insurance in their own name. If there were any named drivers on the deceased's policy, they will no longer be insured to drive the vehicle unless they are a named driver on the new policy.

Pet insurance policies can be transferred to the joint policyholder's name. Where it has been in a sole name, the policy will be cancelled and no further payments will be collected.

Travel insurance policies can be transferred to the joint policyholder's name. Where it has been in a sole name, the policy will be cancelled and no further payments will be collected.

Life insurance policies will automatically end upon payment of a successful claim for either the policyholder's death or for a terminal illness diagnosis. Policies held in joint names will only pay out once for the first claim for either policyholder; cover will cease for the second policyholder, and no further payments will be collected.

Section Three:

Dealing with M&S Savings and Investments accounts

When we have formal confirmation of your loss we will confirm details of the savings and investments held in the account(s) (holdings) and your available options. Once we have received the necessary documentation and completed any identity verification checks we will be able to close the account(s). Your options are:

Unit Trust Non-ISA (joint holding)

We will transfer the joint unit trust holding(s) to the surviving account holder(s). If a third party requests a value of the holding(s) as at the date of death, we will need permission from the surviving account holder(s) before we can action the request.

Unit Trust Non-ISA

- Transfer the units to a unit trust non-ISA in the name of one or more beneficiaries.
- Sell the units and reinvest the proceeds into an ISA using:
 - personal ISA allowance.
- Sell the units and have the proceeds paid to the executor(s), beneficiary/beneficiaries or a solicitor.

Unit Trust Stocks and Shares ISA

- Transfer the units to a unit trust non-ISA in the name of one or more beneficiaries (The ISA itself cannot be transferred to another person's name.).
- Sell the units and reinvest the proceeds into an ISA using:
 - Additional Permitted Subscription (APS) allowance.
 - personal ISA allowance.

- Sell the units and have the proceeds paid to the executor(s), beneficiary/beneficiaries or a solicitor.
- Transfer of units are subject to date of death of the ISA account holder. If the ISA account holder dies on or after 6 April 2018, all types of ISAs held by the late account holder will continue to receive ISA tax advantages and their holding will be referred to as a 'continuing account of a deceased investor'. This will continue until the earlier of the following:
 - The completion of the administration of the deceased's estate.
 - The closure of account.
 - The third anniversary of the death of the ISA investor.

Our team are there to offer support and guide you through the process, explaining the different options available.

Cash ISAs and Fixed Rate Savings

- Close the account(s) and reinvest the proceeds into an ISA using:
 - Additional Permitted Subscription (APS) allowance.
 - personal ISA allowance.
 (The ISA itself cannot be transferred to another person's name.)
- Close the account(s) and have the proceeds paid to the executor(s), beneficiary/beneficiaries or a solicitor.

Interest will accrue daily and be credited to the account annually.

If the Fixed Rate Savings remains open on the maturity date, the funds will roll into another Fixed Rate Savings for the same term.

For an M&S Cash ISA Fixed Rate Savings option, the funds will roll into a variable rate ISA.

The early withdrawal charge will be waived when the Fixed Rate Savings option is closed.



Additional Permitted Subscription (APS)

From 6 April 2015, the surviving spouse/civil partner of an ISA account holder can claim an additional allowance.

This is known as an 'Additional Permitted Subscription' (APS) and is only available to a spouse/civil partner of an ISA account holder who died on or after 3 December 2014.

- If the ISA account holder died between 3 December 2014 and 5 April 2018, the APS allowance equals the value of the ISA(s) at the date of death.
- If the ISA account holder died on or after 6 April 2018, any ISA(s) held may remain open as a continuing account of a deceased investor, referred to here as a continuing ISA. The APS allowance equals the higher of:
 - a) the value of the ISA(s) at the date of death or
 - b) the value of the ISA(s) at the date the ISA(s) cease(s) to be a continuing ISA.

The account will cease to be a continuing ISA on the earlier of the following:

- administration of the deceased's estate is complete.
- the ISA is closed.
- 3 years after the date of death.

Where multiple ISAs are held with one ISA provider, the value at the date of closure will be the total value of all ISAs at the date of closure of each account.

When the APS allowance is used, in whole or in part, the value of the APS allowance is fixed and cannot be changed.

The APS allowance will not affect the spouse/civil partner's annual ISA allowance.

The spouse/civil partner can transfer the APS allowance to another provider, but only once.

Before we can provide the spouse/civil partner with a calculation of the APS allowance, the death must be registered.

Savings accounts

Everyday Savings Account

When we have formal confirmation of your loss, we will freeze the account and no withdrawals will be permitted. Once we have received the necessary documentation and completed any identity verification checks, we can release the funds held within the M&S Everyday Savings Account. Interest will continue to accrue until the funds are released.

Other places to get help

Register to stop direct mail

Getting mail addressed to a person who has passed away can be upsetting. The Bereavement Register® is a free service that helps reduce the amount of direct mail being sent to the address of a person who has passed away.

- The Bereavement Register®: thebereavementregister.org.uk.

General advice and support with loss

If you need help dealing with the situation or coping with your grief, there are several professional organisations that can help:

- Government web pages – for general advice at this difficult time: gov.uk
- Cruse Bereavement Care – offers a telephone helpline and a website with information and further support: cruse.org.uk.
- Samaritans – provides confidential, non-judgemental emotional support, all day, every day: samaritans.org
- Citizens Advice – offers free, independent, confidential and impartial advice on your rights and responsibilities: citizensadvice.org.uk
- Age UK – a telephone helpline run by Age UK (the charity that combines Help the Aged and Age Concern). It provides information and advice for people aged over 50: ageuk.org.uk.

Letting other organisations know

There are other organisations that you may need to notify:

Financial services and pensions

Banks and building societies, car insurance, credit card, store cards, home insurance, private pension, Department of Work and Pensions (DWP).

Tell Us Once is a free government service that allows you to report a death when you suffer a bereavement and need to tell central and local government.

For more information visit:

gov.uk/after-a-death/organisations-you-need-to-contact-and-tell-us-once.

The Death Notification Service is a free service which allows you to notify a number of banks and building societies (financial institutions) of a person's death, at the same time. For more information visit:

deathnotificationsservice.co.uk.

mylostaccount.org.uk is a free service that helps trace any lost accounts.

This may help you locate the banks or building societies that the deceased had accounts with.

Government organisations:

DVLA (car tax and driving licence), passport office.

Home utilities etc:

Cable/satellite, electricity provider, gas provider, internet service provider, mobile phone provider, TV licence, water provider.



If you do have any questions or queries, please call us:



Savings & Investments products

0345 266 0450. Lines are open 8am-5pm Monday to Friday (excluding bank holidays).



All other products (not including general insurance)

0345 300 6139. Lines are open 9am-5pm Monday to Friday (excluding bank holidays).

General Insurance Products



Car Insurance Customer Services

0344 871 2349. 8am-8pm Monday to Friday, 8am-6pm Saturday and 10am-4pm Sunday.



Pet Insurance Customer Services

0800 980 8740. Lines are open 9am-5pm Monday to Friday.



Travel Insurance Customer Services

0800 051 6670. Lines are open 8am-8pm Monday to Friday, 9am-6pm Saturday and 10am-2pm Sunday.



Home Insurance Customer Services

0800 015 7760. Lines are open 8am-8pm Monday to Friday, 9am-6pm Saturday and 10am-2pm Sunday.



Life Insurance Customer Services

If the policy number starts with 8 and was purchased after December 2019, please call **0333 207 4240.** Lines are open 9am-5.30pm Monday to Saturday (excluding bank holidays).

For policies purchased before December 2019, please call **0345 745 6125.** Lines are open 8am-6pm Monday to Friday.

Section Four:

Other useful information

Glossary – legal terms explained

Here are explanations of some of the legal words and phrases that are frequently used in dealing with a Will and an estate.

Absolute interest

An interest that the beneficiary is completely entitled to immediately, without any restrictions.

Acquisition (probate value)

The value at which either the personal representatives or the beneficiary acquires the assets.

Administration

The formal and legal term for dealing with the estate.

Administration period

The period between the date of death and the date of the close of administration.

Administrator

The person appointed to administer an estate where there is no valid Will, or where the executor is unable, or unwilling, to act.

Agreed value

The probate value as formally agreed by HMRC where inheritance tax is payable.

Appointment, power of

A power given by Will or deed to appoint a person or class of persons to inherit an interest.

Asset

Property, money or possessions that belonged to the deceased.

Attorney

A person appointed by another to act in his/her place.

Beneficiary

A person who inherits all or part of the money or property from someone who has died.

Capital Gains Tax (CGT)

Capital Gains Tax is a tax on capital 'gains'. If when you sell or give away an asset it has increased in value, you may be taxed on the profit/gain.

Codicil

This is a legal written amendment to an existing Will.

Confirmation

This is a legal document issued by the Sheriff's Court in Scotland, where the deceased lived in Scotland. It is equivalent to the grant of probate issued in England and Wales.

Coroner's certificate

In certain circumstances a death has to be investigated by the coroner. In this case a coroner's certificate will be provided in place of the death certificate.

Death certificate

The legal document issued by the registrar when a person dies. It is a copy of the entry in the death register.

Deed of variation

This allows beneficiaries to change how the estate is distributed to reflect family circumstances or possibly save future inheritance tax.

Estate

The total value of everything owned by the person who passed away – money, property and possessions – after any debts they had have been settled.

Estate accounts

Accounts listing all transactions during the administration period.

Executor

The person(s) named in a Will who is responsible for making sure the wishes of the person who died are carried out.

Grant of letters of administration

If a valid Will doesn't exist, this document authorises the person dealing with the estate (the administrator) to deal with the deceased's property and financial affairs.

Grant of probate

An official document confirming that the Will is valid and stating who the personal representative is. It can be used to show the personal representative(s) has the right to access funds, sort out finances, and collect and share out the deceased's assets as set out in the Will. In Scotland, this document is called 'confirmation'.

Grant of representation

A document that provides proof that someone has 'probate' and is allowed to deal with a person's estate.

Inheritance tax

Tax that is paid from the estate of a person who has passed away and must be paid before the estate is shared out to the beneficiaries.

Intestacy

When someone passes away without having made a valid Will. A person who dies without having made a valid Will is known as having died 'intestate'.

Legacy or bequest

A gift contained in a Will, i.e. a specific item or general bequest of money.

Letters of administration

An official document stating who the personal representative is when a person has died without making a Will.

Next of kin

The closest related family member(s) of a person who has passed away. This is normally their husband, wife, civil partner or their child/children.

Nil rate band

The value of assets which a deceased person can leave to friends or family without them having to pay any inheritance tax.

Personal representative

The person who is legally responsible for dealing with the estate.

Probate

The legal term for giving someone the authority to manage the estate of a person who has passed away. In Scotland, probate is known as 'confirmation'.

Probate Registry

The organisation responsible for overseeing probate and issuing grants of representation.

Renouncing probate

The act whereby a named personal representative signs a legal document which cancels his/her appointment from the start.

Residuary estate

What remains of the estate after payment of all debts, legacies and all taxes and expenses.

Trustee

The person who holds assets on trust.

Will

A document which states what someone would like to happen to their assets when they pass away.

Contact us

Call 0345 900 0900

Visit marksandspencer.com/bank.

Accessibility

At M&S Bank we understand that everyone has different needs. Whether you're dealing with a life event, want information sent to you in a certain format, such as large print, braille or audio, or if you have any health and accessibility needs, we're here to help.

Let us know how we can support you.

Visit marksandspencer.com/accessibility, use our 'Chat with us' service or call us on 0345 900 0900.

Calls may be recorded for security, training and monitoring purposes.

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MSB10096-01

MSB10096-01 CMT1199/WEB