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What To Do After Someone Dies

A practical guide to Probate and estate administration in England & Wales

General information for England and Wales. This guide does not replace individual legal, tax or financial advice.

The one thing to remember

You do not need to know everything today.

Deal with the urgent practical matters first, keep good records and avoid irreversible decisions until you understand who has authority and what the estate contains.

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Introduction

If you're reading this guide, someone important to you has probably died. First, may I offer my sincere condolences.

Whether the death was expected or completely unexpected, the days ahead can feel overwhelming. Alongside grief, you may suddenly find yourself dealing with paperwork, telephone calls, money, property and well-meaning advice from family, friends and professionals.

One person says you "need Probate". Another says you "must see a solicitor". Someone else wants to clear the house or start giving possessions away.

Please don't rush.

Very few major decisions need to be made in the first day or two. Acting too quickly can create unnecessary expense, delay or even personal liability for an executor.

This guide is designed to help you understand what needs to happen, what can safely wait and where professional help may be worthwhile. Probate is only one part of administering an estate. There may also be a funeral to arrange, insurance to protect, a property to secure, organisations to notify, tax to consider and family questions to manage.

About TPD

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The links will take you through to further information.

Use this as a reference, not a test

You do not need to read the whole guide at once.

Start with the practical timeline, then return to the relevant section as each stage arises.

1. A practical timeline

When someone dies, it can feel as though everything has to be done immediately. It doesn't. Some jobs genuinely are urgent; others can wait for days or weeks.

During the first 24 hours

- Make sure children, vulnerable adults, pets or livestock are cared for.
- If the property will be empty, make sure it is secure.
- Locate keys and any obvious important paperwork.
- Check for a [prepaid funeral plan](#) and written funeral wishes before signing a funeral contract.

More information — Prepaid funeral plans: www.theprobatedepartment.co.uk/find-or-claim-on-a-prepaid-funeral-plan

- Avoid major financial or legal decisions until you know who has authority.
- Start a notebook or simple file and record calls, emails, payments and decisions.

During the next few days

- Wait for the Medical Examiner's office to confirm when the death can be registered, unless the [Coroner](#) is dealing with the death.

More information — Coroners: www.theprobatedepartment.co.uk/coroners

- Locate the original Will and any Codicils.
- Identify the executors.
- Check insurance, particularly if a property is empty.
- Begin gathering bank, pension, insurance, investment, mortgage and utility information.
- Notify close family and anyone who needs to know.
- If you have authority to protect an empty property, photograph valuable items and consider whether the locks need changing. Do not exclude a lawful occupier or interfere with another person's rights. Keep a record of any items moved for safekeeping.

During the first week

- [Register the death](#) when you are told you can do so.

More information — Local Register Office and services:

www.theprobatedepartment.co.uk/local

- [Arrange the funeral](#) after checking plans and wishes.

More information — Funeral arrangements: www.theprobatedepartment.co.uk/funeral-arrangements

- Tell key organisations.
- Continue protecting the property and valuables.
- If the property is uninhabited, tell the insurance company and follow their instructions to the letter
- Begin a working list of assets, debts and regular payments.

During the first month

- Value the estate and obtain professional valuations where needed.
- Establish the [Inheritance Tax](#) position and, if tax may be due, deal with it early.

More information — Inheritance Tax payment: www.theprobatedepartment.co.uk/when-is-inheritance-tax-paid

- Ask banks and other asset holders whether they require a Grant.
- Decide whether [Probate is needed](#).

More information — Do I need Probate?: www.theprobatedepartment.co.uk/do-i-need-probate

- Consider which parts of the administration you can deal with yourself and where [professional help](#) might save time or risk.

More information — Probate help and quotes: www.theprobatedepartment.co.uk/grant-of-probate-quotes

Things that usually can wait

Choosing a Probate provider.

Selling the house.

Clearing the loft or garage.

Giving away possessions before authority and entitlement are established.

Distributing money

Closing every account immediately.

Do not cancel insurance or essential payments without checking. Loss of cover can expose the estate and its representatives to substantial financial loss.

2. Before you do anything else

One of the biggest mistakes after a death is acting before the facts are clear. Good intentions can still create expensive problems.

Do not assume the next of kin is in charge

Being the husband, wife, civil partner, son, daughter or 'next of kin' does not automatically give someone authority to administer the estate. If there is a valid Will, responsibility normally rests with the [executors named in it](#). If there is [no Will](#), the law determines who is entitled to apply to become administrator.

More information — Executors' duties: www.theprobatedepartment.co.uk/what-is-probate/duties-of-executors

More information — No Will / intestacy: www.theprobatedepartment.co.uk/no-last-will

Find the Will

The original Will may tell you who the executors are, who should inherit, whether there are specific gifts or trusts, and sometimes where funeral wishes can be found. Do not destroy an older Will simply because a newer one appears to exist.

Check for a funeral plan

Before instructing a funeral director, look for a [prepaid funeral plan](#) and any written wishes. Signing for a funeral without checking can create avoidable cost and may bypass arrangements that have already been paid for.

More information — Prepaid funeral plans: www.theprobatedepartment.co.uk/find-or-claim-on-a-prepaid-funeral-plan

Secure the estate

If a home is empty, lock doors and windows, safeguard keys and valuables, check alarms and contact the [buildings insurer](#). Do not assume the existing insurance continues unchanged.

More information — Empty property insurance: www.theprobatedepartment.co.uk/empty-property-insurance

Gather - do not dispose

Collect important paperwork into one place. Do not start clearing cupboards, giving belongings away or destroying old bank statements. You may later discover that an item has value, is specifically left by the Will or provides an important clue to an asset or liability.

The biggest mistakes to avoid

Assuming the next of kin automatically has authority.

Clearing the house or giving possessions away too soon.

Using the deceased's bank account because you know the PIN or password.

Cancelling insurance or every Direct Debit without checking what is still needed.

Selling property before understanding the legal and tax position.

Assuming Probate is always needed - or never needed.

Distributing money before debts, tax and other liabilities have been dealt with.

Trying to cope with a complicated issue alone when one piece of professional advice could prevent a larger problem.

The golden rule

Slow down before making irreversible decisions. A day spent establishing the facts is rarely wasted.

3. Registering the death

The death-registration process changed when the statutory Medical Examiner system was introduced. For most deaths that are not investigated by the [Coroner](#), the medical certification is now dealt with between the doctor, the Medical Examiner and the Registrar.

More information — Coroners: www.theprobatedepartment.co.uk/coroners

Wait until you are told you can register

After the doctor confirms the death, the Medical Examiner checks the cause of death. The Medical Examiner's office then contacts the family and confirms when the necessary information has been sent to the Registrar.

Important

Do not assume the five-day period runs from the date of death.

For a death dealt with through the Medical Examiner system, registration should normally take place within five days of the Medical Examiner's office confirming that you can register. Weekends and bank holidays count.

If the Coroner is involved

A sudden, unexpected or unexplained death may be referred to the Coroner. The Coroner's Office will explain what happens next. Registration may be delayed while the Coroner makes enquiries.

At the Register Office

The [Register Office](#) will explain who can register the death, how to make an appointment and what information is required. After registration you can purchase certified copies of the Death Certificate and will normally receive the paperwork needed for burial or cremation where applicable.

More information — Local Register Office and services:

www.theprobatedepartment.co.uk/local

Tell Us Once

Where available, [Tell Us Once](#) can notify a number of government departments and local authority services. The Registrar will explain how to use it.

Use Tell Us Once within 28 days of receiving the reference number. It does not notify banks, insurers, utilities or most private pension providers: contact them separately. Some public-sector pension schemes are covered.

More information — Tell Us Once: www.theprobatedepartment.co.uk/tell-us-once-service

Practical tip

If the estate involves several banks, insurers or other organisations, consider how many certified copies of the Death Certificate you are likely to need. Many organisations now accept electronic or returned copies, so there is no need to buy an excessive number.

Find out more: For local Register Office information and practical contacts, visit TheProbateDepartment.co.uk/local.

4. Arranging the funeral

[Funeral arrangements](#) often become the first major decision after a death. Before committing to anything, check whether arrangements already exist.

More information — Funeral arrangements: www.theprobatedepartment.co.uk/funeral-arrangements

Look for a prepaid funeral plan

Look for plan documents, membership cards, confirmation emails, bank payments or paperwork from a [funeral-plan provider](#). If you find a plan, contact the provider before instructing a funeral director.

More information — Prepaid funeral plans: www.theprobatedepartment.co.uk/find-or-claim-on-a-prepaid-funeral-plan

Look for funeral wishes

The deceased may have left wishes about burial or cremation, music, readings, religion or belief, flowers, charitable donations or ashes. These may be in a Letter of Wishes, personal papers or the Will.

Who makes the arrangements?

In practice, close family members often make the arrangements. If there is disagreement, the legal position can become more important and the executors or person entitled to administer the estate may need advice.

Who pays?

Funeral expenses are usually payable from the estate if there is enough money. However, the person who signs the funeral contract may be personally responsible to the funeral director for the bill and then look to the estate for reimbursement.

Many banks will pay a funeral invoice directly from the deceased's account without waiting for Probate. Ask the bank about its bereavement procedure.

Choosing a funeral director

- Ask for a written estimate.
- Check exactly what is included.
- Ask about additional charges.
- Compare prices if you wish.

- Keep quotations, invoices and proof of payment.

Key point

Before arranging a funeral, check for a prepaid plan and written wishes. A few minutes spent checking can prevent unnecessary cost.

5. Finding the Will and identifying who is in charge

Finding the original Will is one of the most important early steps. Until it has been found, avoid assumptions about who should deal with the estate or who should receive particular belongings.

Where to look

- The deceased's home, safe or filing cabinet.
- A solicitor or professional Will writer.
- A document-storage company.
- A bank safe-custody service, where available.
- The executors themselves.
- Letters, invoices, storage certificates, emails or business cards that may provide a clue.

If you find more than one Will

Do not destroy, mark or alter any of them. A newer document is not automatically valid simply because it has a later date. Keep every version safe until the position is clear.

Do not alter the original

- Do not write on it.
- Do not remove or add pages.
- Do not remove staples or make new holes unnecessarily.
- Store it safely.

If there is no valid Will

The estate will normally be administered under the [intestacy rules](#). Those rules determine who is entitled to administer the estate and who inherits. They do not simply follow the family's view of what the deceased would have wanted.

More information — No Will / intestacy: www.theprobatedepartment.co.uk/no-last-will

Lasting Powers of Attorney end on death

A Lasting Power of Attorney ends immediately when the donor dies. An attorney may still be extremely helpful because they know where accounts, paperwork and assets are kept, but they no longer have authority to use the deceased's bank accounts or make decisions under the LPA.

Key point

An attorney deals with someone's affairs during life. An executor or administrator deals with the estate after death. The same person may hold both roles, but they are separate legal appointments.

6. Protecting property, insurance and practical affairs

If the deceased lived alone or owned an [empty property](#), protecting it should be an early priority. Empty homes are more vulnerable to burglary, water damage, weather and insurance problems.

More information — Protecting an empty property: www.theprobatedepartment.co.uk/danger-executors-dealing-with-property-read-this

Secure the home

- Lock doors, windows, garages, sheds and outbuildings.
- Collect spare keys from obvious hiding places.
- Check alarms and other security.
- Keep valuable items out of sight.
- Agree who is responsible for checking the property.

Consider changing locks where necessary and lawful, but do not exclude a joint owner, tenant or other lawful occupier. Keep photographs and records of valuables moved for security.

Tell the insurer

Contact the [buildings and contents insurer](#) if the property is unoccupied or likely to become unoccupied. Policies often impose conditions such as regular inspections, heating requirements or other security measures. Follow the insurer's instructions and keep a record.

More information — Empty property insurance: www.theprobatedepartment.co.uk/empty-property-insurance

Do not cancel essential services automatically

Electricity, gas, water, internet, alarms or other services may still be needed while a property is empty. Record meter readings and find out what each payment relates to before cancelling it.

Redirect and monitor post

Post can reveal assets, debts, renewals and regular payments. Redirection can also reduce the risk of identity fraud and stop an empty property looking abandoned.

Vehicles and other insurance

Do not assume a vehicle remains insured or can continue to be driven. Contact the insurer before anyone uses it. Also check life insurance, travel, pet, mobile-phone and other policies before cancelling them.

Firearms or controlled items

If you find firearms or ammunition, do not handle or transport them without lawful authority. Contact the local police firearms licensing team for instructions. If there is an immediate danger, call 999.

Do not start clearing the house

Until you know what the Will says, who has authority and whether items require valuation, it is usually safer to leave possessions in place.

7. Building a clear picture of the estate

Before you can decide whether [Probate is needed](#), complete the [Inheritance Tax](#) position or distribute anything, you need a reliable picture of [what the deceased owned and owed](#).

More information — Do I need Probate?: www.theprobatedepartment.co.uk/do-i-need-probate

More information — Inheritance Tax: www.theprobatedepartment.co.uk/inheritance-tax-2

More information — Finding unclaimed or missing assets:

www.theprobatedepartment.co.uk/how-to-search-for-unclaimed-assets

Start with the paperwork

- Bank and building-society statements.
- Savings and investment records.
- Pension paperwork.
- Life-insurance policies.
- Mortgages, loans and credit cards.
- Utility bills and Council Tax.
- Tax correspondence.
- Property and Land Registry information.
- Business or partnership records where relevant.

Create a working schedule

A spreadsheet or notebook is enough. For each asset or debt, record the organisation, account or reference number, estimated value, date contacted and what they told you.

Property

Establish how any property was owned, whether there is a mortgage and its value at the date of death. A professional valuation may be sensible where Inheritance Tax is possible or a value may later be challenged.

Property held as beneficial joint tenants normally passes to the surviving owner. A tenant in common's share normally passes under their Will or intestacy. Establish the ownership rather than assuming every jointly owned home passes automatically. A share passing by survivorship may still count for Inheritance Tax.

Pensions and life insurance

Do not assume every pension or life policy forms part of the estate. Some benefits may pass directly to a nominated person or trustee. Notify the provider and ask how the benefit will be dealt with.

Who receives a pension benefit and whether it is taxable are separate questions. For deaths on or after 6 April 2027, most unused pension funds and pension death benefits will be included in the Inheritance Tax calculation, subject to exclusions. Ask the provider and check current HMRC guidance for the date of death.

Digital and less obvious assets

- Online bank and investment accounts.
- PayPal or similar accounts.
- Cryptocurrency.
- Premium Bonds and savings products.

- Reward accounts and digital wallets.
- Online businesses, royalties or other digital income.

Personal possessions

Jewellery, watches, antiques, artwork, collections, vehicles, boats, caravans and business equipment may require valuation. Do not guess at significant values if tax or fairness between beneficiaries could be affected.

Debts and liabilities

Record mortgages, loans, credit cards, care fees, utility bills, tax and any other amounts that may be due. Do not distribute the estate until the liability position is sufficiently clear.

Also investigate lifetime gifts, assets given away while the deceased continued to benefit from them, jointly owned assets and relevant trust interests. Assets passing outside the probate estate may still matter for Inheritance Tax. Gifts within seven years are particularly relevant; earlier gifts can matter in some trust cases, so seek advice where necessary.

Professional tip

Keep the record from day one. A good administration file makes the Probate application, estate accounts and answers to beneficiaries much easier later.

8. Inheritance Tax - the deadline that can catch executors out

IMPORTANT - THE DEADLINE DOES NOT WAIT FOR PROBATE

Inheritance Tax is generally due by the end of the sixth month after the person died. If the person died in January, for example, the normal due date is 31 July.

HMRC normally charges interest if tax is paid late.

Where Inheritance Tax is due, some tax will usually have to be paid before a Grant of Probate can be obtained.

This is one of the most important practical points in the whole administration. An estate can be valuable on paper but short of cash. A house may be worth hundreds of thousands of pounds, yet the executors may not be able to sell it until Probate is granted - and may not get Probate until enough Inheritance Tax has been paid.

Does every estate pay Inheritance Tax?

No. Most estates are not taxed. The estate still needs to be valued. Many straightforward estates are '[excepted estates](#)', meaning full details do not have to be sent separately to HMRC and the necessary values are provided as part of the Probate application.

More information — Inheritance Tax: www.theprobatedepartment.co.uk/inheritance-tax-2

Some estates must be reported in full to HMRC using [form IHT400](#) even if no tax is ultimately due. If tax is due, an IHT400 is normally required.

Overseas assets, trusts and a history of living outside the UK may require specialist advice. From 6 April 2025, long-term UK residence replaced domicile as the main test for whether overseas assets fall within Inheritance Tax. Do not assume foreign assets can be omitted.

More information — Probate and Inheritance Tax forms:

www.theprobatedepartment.co.uk/probate-forms

The usual order

1. Identify and value the estate.
2. Establish whether full details must be sent to HMRC.
3. Calculate the likely Inheritance Tax position.
4. Submit the required Inheritance Tax information.
5. Pay the amount required before Probate and obtain HMRC's Probate code where applicable.
6. Apply for the Grant.
7. Collect the remaining assets and complete the administration.

How can tax be paid before Probate?

Depending on the estate, possible sources include:

- The deceased's bank, savings or investment accounts using HMRC's [Direct Payment Scheme](#) where the provider participates.

More information — Inheritance Tax payment: www.theprobatedepartment.co.uk/when-is-inheritance-tax-paid

- Funds provided temporarily by beneficiaries.
- Money advanced by the executors, although executors are not generally required to fund the tax personally.
- Specialist Probate finance or other borrowing, after considering the cost carefully.
- An application to postpone payment in limited circumstances where funds cannot be raised.

The Direct Payment Scheme

Under the Direct Payment Scheme, a participating bank, building society or investment provider can pay some or all of the Inheritance Tax directly to HMRC from the deceased's account before Probate is granted.

Paying by instalments

Tax on qualifying assets, including certain land, property and business interests, may be paid in ten annual instalments. The first instalment is normally due by the end of the sixth month after death. Interest rules depend on the asset and reliefs involved; selling the asset can bring the remaining tax into payment. Check the rules before choosing this option.

Accurate valuations matter

Property, businesses, valuable jewellery, antiques, collections and other substantial assets should be valued properly where appropriate. An inaccurate value can affect tax, distribution and the time needed to resolve the estate.

Tax after death

Inheritance Tax is not the only tax to consider. The deceased's final Income Tax position must be settled, and income or gains arising during administration may create separate Income Tax or Capital Gains Tax reporting and payment obligations. A taxable UK property sale can have a short reporting deadline. Consider accountancy help before selling or distributing assets.

Do not assume you can sell the house first

In an estate where Inheritance Tax is payable, the executors may need to find money for the tax before they can obtain the Grant that allows the property to be sold. Identify this risk early.

9. Do you need Probate?

Not every estate requires Probate. Whether a [Grant is needed](#) depends on the assets, how they were owned and the requirements of the organisations holding them.

More information — Do I need Probate?: www.theprobatedepartment.co.uk/do-i-need-probate

What is Probate?

Where there is a valid Will, [Probate](#) is the process that results in a Grant of Probate confirming the executors' authority to deal with estate assets. Where there is no valid Will, the appropriate person normally applies for [Letters of Administration](#).

More information — What is Probate / Letters of Administration:

www.theprobatedepartment.co.uk/what-is-probate

Probate is commonly needed where

- Property or land is held in the deceased's sole name.
- Banks or investment providers hold assets above their own release limits.
- Shares or investments cannot be transferred or sold without a Grant.
- An organisation requires formal proof of the personal representatives' authority.

Probate may not be needed where

- Assets pass automatically to a surviving joint owner.
- The estate is modest and organisations are willing to release funds without a Grant.
- Assets are held in trust and pass outside the estate.
- There are no assets requiring a Grant.

Each bank and institution sets its own requirements. Ask them rather than relying on a general figure you have seen online.

Key point

Do not apply for Probate just because someone has died. First understand the assets and ask the organisations concerned whether they require a Grant.

10. Applying for Probate

Once you know that a Grant is required, the [application](#) itself is only one step in the administration. Much of the important work should already have been done.

More information — Probate and Inheritance Tax forms:

www.theprobatedepartment.co.uk/probate-forms

Before you apply

- Locate the original Will and any Codicils.
- Identify the executors who will apply.
- Value the estate.
- Identify known debts and liabilities.
- Complete the necessary Inheritance Tax steps.
- Obtain HMRC's Probate code where required.

- Gather the information needed for the application.

Who applies?

The executors named in the Will normally apply for Probate. If there is no valid Will, the person entitled under the intestacy rules normally applies for Letters of Administration.

What does the Grant do?

The Grant provides formal evidence of the personal representatives' authority. Banks, investment companies, conveyancers and other organisations may require it before assets can be released, transferred or sold.

How long does it take?

There is no fixed timescale. Processing time depends on the application, the complexity of the estate, whether questions are raised and the [Probate Registry](#)'s workload.

More information — Find a Probate Registry: www.theprobatedepartment.co.uk/find-the-nearest-probate-registry

What can you do while waiting?

- Continue collecting information.
- Obtain valuations.
- Deal with insurance and property maintenance.
- Correspond with organisations.
- Prepare schedules of assets and debts.
- Keep beneficiaries sensibly informed.

Common application mistakes

Applying before the estate values are clear.

Overlooking an executor, asset or liability.

Assuming the Grant will arrive within a few days.

Promising beneficiaries payment immediately after the Grant.

11. Costs and choosing professional help

Some estates can be administered for relatively modest cost. Others involve property, tax, valuations, professional fees or disputes. Most reasonable estate-administration expenses are payable from the estate rather than by the executors personally, provided the expenditure is properly incurred.

Typical costs

- Probate Registry fees where a Grant is required.
- Property valuation, estate-agent and conveyancing costs.
- Insurance, utilities, security, gardening and maintenance.
- Valuation of jewellery, antiques, collections or business interests.
- Accountancy or tax advice.
- Tracing agents or other specialist services.
- Borrowing costs where money is needed to pay Inheritance Tax.
- Reasonable executor out-of-pocket expenses.

Do you need professional help?

Many straightforward estates can be dealt with by the executors themselves. Help is more likely to be worthwhile where there is Inheritance Tax, a business, a trust, overseas assets, complicated property ownership, missing beneficiaries, family conflict or an insolvent estate.

It is also perfectly reasonable to obtain help simply because you do not have the time or confidence to deal with everything yourself.

Choosing a provider

- Ask exactly what they will do and what you will still be expected to do.
- Ask how the fee is calculated - fixed fee, hourly rate, percentage of the estate, or a combination.
- Ask whether VAT and third-party costs are included.
- Ask who will actually deal with the estate and how often you will be updated.
- Get [more than one quote](#) where appropriate.

More information — Probate help and quotes: www.theprobatedepartment.co.uk/grant-of-probate-quotes

- Compare service and scope, not just the headline price.

Watch percentage-based charging

A percentage fee can become very expensive where much of the estate's value is a family home. Ask for a clear written explanation of every charging element, including any 'responsibility' or value-based allowance.

You remain in control

Using a professional does not have to mean handing over the whole estate. Executors can often do the straightforward work themselves and obtain specialist help only where needed.

12. Collecting assets and paying debts

Once the Grant has been issued - or earlier where a Grant is not required - the next stage is to collect the assets, settle liabilities and prepare for distribution.

Collecting assets

Each bank, investment company or other organisation has its own bereavement procedure. Keep a record of what you send, what you receive and the date each asset is collected.

- Close or transfer bank and savings accounts as appropriate.
- Sell or transfer investments where required.
- Deal with property in accordance with the Will and the executors' duties.
- Collect refunds, unpaid salary, pension arrears, tax repayments and insurance proceeds.
- Safeguard and value significant personal possessions.

Keep estate money separate

Where appropriate, use a [dedicated estate account](#). Do not mix estate money with an executor's personal money. If an executor pays something personally, keep a clear receipt and reimbursement record.

More information — Executor / estate bank accounts:

www.theprobatedepartment.co.uk/executors-bank-accounts

Paying debts and expenses

Before beneficiaries receive their inheritance, the executors must deal with the deceased's debts and the expenses of administration. Check claims rather than paying every invoice automatically.

- Funeral expenses.
- Mortgages and secured loans.
- Credit cards and personal loans.
- Utility and Council Tax liabilities.
- Care fees.
- Income Tax and Inheritance Tax.
- Professional and administration expenses.

If there is not enough money

An insolvent estate has special rules governing the order in which debts must be paid. Stop distributions and obtain professional advice before making payments that could prefer one creditor over another.

Protection against unknown creditors - Section 27 notices

Even a careful executor cannot always know whether an unknown creditor exists. Section 27 of the Trustee Act 1925 allows personal representatives to advertise before distribution and invite anyone with a claim to come forward.

The notice must allow at least two months for claims. Notices are commonly placed in [The Gazette](#) and, depending on the estate, other newspaper notices may also be appropriate. The precise requirements should be checked before relying on the protection.

More information — Section 27 notices / The Gazette: www.theprobatedepartment.co.uk/the-gazettes-importance-in-probate

Section 27 notices do not protect against every type of claim. Family-provision claims normally have a six-month deadline from the first Grant of representation, although a court can allow a late claim. Do not treat either the notice period or six months as an automatic safe distribution date. If there is a possible claim, take advice on timing, service of proceedings and the reserve needed before paying beneficiaries.

Why this matters

A properly handled Section 27 notice can protect personal representatives against certain unknown claims after they distribute the estate. It does not make a known debt disappear and it is not a substitute for reasonable enquiries.

Do not rush to distribute

Unexpected invoices, tax adjustments or claims can arrive late. A short delay is usually preferable to asking beneficiaries to return money - or finding that the executor has to meet a liability personally.

13. Estate accounts and distributing the estate

Estate accounts tell the financial story of the administration from the date of death to the final distribution. Good records make this stage far easier.

What the accounts normally show

- The assets and values at the date of death.
- Money collected into the estate.
- Debts and administration expenses paid.
- Income received during the administration.
- Tax paid.
- The balance available for distribution.
- How the estate is divided between the beneficiaries.

Share the accounts

It is usually good practice to provide the estate accounts to the [residuary beneficiaries](#) before the final distribution so that questions can be dealt with before the administration closes.

More information — Information for beneficiaries: www.theprobatedepartment.co.uk/things-beneficiaries-should-know

Follow the Will - or the intestacy rules

Executors cannot rewrite the Will because the family would prefer a different result. If beneficiaries want to alter the distribution, appropriate professional advice should be obtained before anything is changed.

Specific gifts and cash legacies

A gift of a particular item, such as a painting or vehicle, is different from a cash legacy. Pass items to the correct beneficiaries only when safe and authorised, recording delivery and obtaining acknowledgement where appropriate. Cash legacies may be affected by the estate's available funds, the Will's terms and the rules on priority; seek advice if the estate cannot meet every gift.

The residuary estate

After debts, tax, expenses and specific gifts have been dealt with, the remaining estate can be distributed to the residuary beneficiaries in accordance with the Will or intestacy rules.

Before paying a beneficiary, check whether bankruptcy, incapacity, age or a trust affects who should receive the money. A minor's entitlement should not simply be paid to a parent without checking the legal arrangements. If the Will creates a continuing trust, identify the trustees, arrange the transfer properly and check any tax and Trust Registration Service duties. Do not assume probate completes those duties.

Before the final payment

- All known assets have been collected.
- All known debts and expenses have been paid.
- Tax liabilities have been dealt with.
- Any reasonable creditor-protection steps have been completed.
- Estate accounts are ready.
- There is no known dispute or other reason to retain funds.

An executor's duty is to administer correctly - not quickly

Beneficiaries may understandably want to know when they will be paid. Do not promise a date until you are confident the estate is ready for distribution.

14. Common problems, disputes and missing beneficiaries

No two estates are the same. Many run smoothly; others produce an unexpected problem. Most difficulties are easier to manage when the facts and records are clear.

FREE Probate Dispute Claim Checker

Concerned about the validity of a Will, your entitlement or a claim against the estate? Use our FREE Probate Dispute Claim Checker for an initial assessment, with no obligation. If it identifies a possible genuine issue, a FREE initial chat with an inheritance-dispute specialist is available. The checker is not a final legal opinion. Further paid work is agreed separately. Act promptly: claim deadlines can be short.

Use the FREE checker: www.theprobatedepartment.co.uk/contest-a-will-free-probate-dispute-claim-checker

The Will cannot be found

Search papers carefully, contact likely solicitors or Will writers, check storage records and ask close family whether they know where it was kept. Do not assume there is no Will until reasonable enquiries have been made.

A new asset or debt appears

Record it, establish its value or validity and adjust the estate records. Do not ignore a late discovery simply because the administration is advanced.

The property is taking a long time to sell

That may delay the final distribution but does not necessarily stop other parts of the administration. Keep insurance and maintenance under review and keep beneficiaries informed.

Family disagreements

Bereavement can bring old tensions to the surface. Disputes commonly concern possessions, the sale of property, the meaning of the Will or the time the administration is taking.

- Keep communication factual and polite.
- Give sensible progress updates.
- Keep written records of important decisions.
- Do not favour the loudest beneficiary.
- Take advice early if a genuine [legal dispute](#) is developing.

Missing beneficiaries

An executor should make reasonable efforts to [identify and locate beneficiaries](#). Start with family, old correspondence, address books and lawful public information. If that fails, a professional tracing agent may be appropriate.

More information — Missing beneficiaries and tracing:

www.theprobatedepartment.co.uk/missing-heirs-heir-hunters

Do not simply give a missing beneficiary's share to somebody else. That can expose the executors to personal liability if the person later comes forward.

Key point

Unexpected problems are normal. Panic and rushed decisions usually make them worse; good records and early specialist advice usually make them easier.

15. Local help and bereavement support

The legal principles apply across England and Wales, but many of the organisations you deal with are local. Contact details and procedures can change, so use up-to-date [local information](http://www.theprobatedepartment.co.uk/local) rather than relying on an old printed address.

More information — Local Register Office and services:

www.theprobatedepartment.co.uk/local

Local organisations may include

- The Register Office and Coroner's Office.
- The local council for Council Tax, Blue Badges and other services.
- Funeral directors and celebrants.
- Estate agents, surveyors and valuers.
- Probate, tax and financial advisers.
- House-clearance, security, maintenance and other practical services.
- Bereavement charities and community or faith organisations.

Bereavement support

Practical administration often has to be dealt with while people are still grieving. If you or a family member need support, speak to your GP, a bereavement charity, a community or faith organisation, or somebody you trust.

Local information

The Probate Department's local pages are intended to help you find Register Offices, councils and relevant services in your area.

Find out more: For up-to-date local information, visit TheProbateDepartment.co.uk/local.

16. Bringing the estate to a close

After months of administration you eventually reach the point where the work is substantially complete. Take a little extra time to make sure nothing has been missed.

Final check

- All known assets have been collected.
- Known debts, expenses and tax have been dealt with.
- Beneficiaries have received the correct entitlements.
- Estate accounts are complete.
- Receipts and acknowledgements are filed.
- Any estate bank account has been reconciled and can be closed.
- Anyone still waiting for confirmation has been told the administration is complete.

Keep the records

Keep the original Will, Grant, estate accounts, tax papers, bank records, invoices, receipts and important correspondence securely. Six years after completing administration is a useful

starting point for many routine records, but tax requirements, minors, continuing trusts, disputes or other circumstances may justify longer retention. Keep key original legal documents safely and seek advice before destroying records.

What you have achieved

Many executors begin with no experience at all and end up dealing successfully with banks, government departments, insurers, property professionals, beneficiaries and tax. Administering an estate properly is a significant responsibility.

17. Your own legal planning

Dealing with somebody else's estate often makes people think about their own affairs. Many of the difficulties families face after a death can be reduced by a little [planning](#).

More information — Estate planning: www.theprobatedepartment.co.uk/estate-planning/estate-planning-tips

Make or review your Will

A Will lets you choose executors, say who should inherit, appoint guardians where appropriate and make gifts. If you already have one, review it after major life changes and from time to time even if nothing dramatic has happened.

Consider Lasting Powers of Attorney

A Will only works after death. Lasting Powers of Attorney allow you to appoint people to act during your lifetime. A registered property and financial affairs LPA can usually be used with your permission while you have mental capacity, subject to its terms. A health and welfare LPA can be used only when you lack capacity for the relevant decision. Both end on death.

Organise your paperwork

One of the most useful things you can leave behind is a [clear record of where important information can be found](#).

More information — Organising important information: www.theprobatedepartment.co.uk/before-i-die-tidy

- Will and Lasting Powers of Attorney.
- Insurance and pension details.
- Bank and investment information.
- Property details.
- Regular payments and important contacts.
- Funeral wishes and any [prepaid plan](#).

More information — Prepaid funeral plans: www.theprobatedepartment.co.uk/find-or-claim-on-a-prepaid-funeral-plan

- Information about digital assets and online accounts.

Talk to your family

You do not have to discuss every financial detail, but letting the right people know where documents are stored, who your executors are and whether you have funeral wishes can prevent a great deal of uncertainty.

Final thought

No guide can answer every question because every family and every estate is different.

But the same principles come up again and again: establish who has authority, protect the estate, keep good records, do not rush irreversible decisions and get help where the consequences of getting it wrong could be expensive.

Above all

You do not need to know everything today.

Take one careful step at a time.

I hope this guide has helped you understand what happens after someone dies and given you greater confidence about the practical work ahead.

Steve Pett CmpnSWW, AffSTEP, DMS

Founder and editor, The Probate Department

Further information: TheProbateDepartment.co.uk