



The Affordable help

Probate Department Ltd

A private company

For affordable INDEPENDENT Probate

01323 741204

Government Probate Registries details are listed under "Registries" below.

We hope you find the enclosed information useful: they are very much a general guide and you should not act on them without advice (preferably ours, at modest fees!)

The sections are:

- 1) The DIY Guide to Probate (pages 2 to 9.)
- 2) A few probate tips and warnings from us (pages 9 to 13.)
- 3) Details of our services, should you wish to take on any professional help. The Probate Department Ltd is a private company which helps people with probate, deeds of variation etc at fees which are typically half those of our competitors. (Pages 15 and 16.)

Why are our fees low – often half the cost of other lawyers?

- No expensive High Street offices.
- No expensive company cars.
- No secretaries to stop you talking to the people doing the work – everyone is involved and can usually help you.
- Automated systems to cut down the amount of time billed to you.
- We are perfectly happy for YOU to do some of the work should you wish to and that can save lots of money.

If you really want to Do It Yourself, but would feel safer with detailed guidance and the safety net that we could step in and help (if you ask us) at any stage, why not have a look at www.DIYProbateUK.com which offers a guided approach to probate and means that all your work can save lots of money even if you decide to hand it over to our professional team to finish off?

If you would like to consider instruction us to help with or carry out work for you, please do not hesitate to give us a ring. We work throughout England and Wales.

Your main contacts on 01323 741204 are:

				
Steve Pett Managing Director	Peter Wallace (a retired accountant)	Amanda Tidey Case Worker	Julie Smillie Case Worker	Lesley Callaghan-Smith Case Worker

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A private limited company registered in England number: 07682081. NOT a government department!



How to obtain probate

What is the Probate Service?

The Probate Service is part of HM Courts & Tribunals Service. It administers the system of probate, which gives people the legal right to handle the estate (for example, money, possessions and property) of a deceased person. We are nothing to do with them, being a professional firm:

our job is to help people with the process at relatively low cost.

When a person dies, they usually leave an **estate** (including money, possessions and property) and sometimes a Last Will.

A Last Will should name one or more executors who are responsible for collecting in all the money, paying any debts and distributing any legacies left to individuals or organisations.

In order to access the estate, the executor needs to apply to the probate registry for a document called a Grant of Representation or '**grant**'. This process is called **probate**. The grant establishes who can legally collect money from banks, building societies and other organisations which hold assets belonging to the deceased person.

*The information in this leaflet refers only to the law in **England and Wales**. If the deceased person was permanently resident in Scotland, Northern Ireland or another country when they died, please contact the relevant authorities, or us if you need professional help.*

What is the purpose of the Grant of Representation?

A Grant of Representation establishes who can legally collect money from banks, building societies and other organisations that hold assets belonging to the deceased person. There are three types of Grant of Representation:

Probate (a **grant** of probate)

Probate is issued by the Probate Service to the executor(s) named in the deceased person's Last Will.

- **Letters of Administration (with Will)**

Letters of Administration (with Will) are issued when no executor is named in the Last Will, or when the executors are unable or unwilling to apply for the grant.

- **Letters of Administration**

Letters of Administration are issued when the deceased person has not made a Last Will, or the Last Will they have made is not valid.

Is a grant always needed?

Not every estate needs a grant. A grant may not be needed if:

- the home is held in joint names (as **beneficial joint tenants**) and is passing by survivorship to the other joint owner(s). This does **not** apply if ownership is a tenants in common, where probate **will** be required. **Watch out** for “severance of tenancy” or Property Trust Wills.
- there is a joint bank or building society account. In this case, the bank may only need to see the death certificate, in order to arrange for the money to be transferred to the other joint owner. However, a grant could still be needed to access assets held in other bank accounts or insurance policies. This does **not** apply if the second person is merely a signatory and not an owner – a distinction many people ignore. **Watch out.**
- the amount held in each account was modest. Most – but not all – will release amounts under £5,000. You will need to check with the organisations (banks, building societies or insurance companies) involved to find out if they will release the assets without a grant.

If none of the circumstances above apply, a grant may be required.

Watch out. The above does NOT relieve you of the requirement to complete the necessary Tax forms if the estate could be taxable.

You should ask anyone holding the deceased’s money (such as a bank or insurance company) whether they will release it to you without seeing a grant. If they agree, they may attach conditions such as asking you to sign a statutory declaration before a solicitor. You can decide whether it is cheaper or easier to do this than to apply for a grant. At the end of the day, it only takes one firm to require a grant, and you have to go through the whole process.

Please note that a grant must be presented in order to sell or transfer a property held in the deceased’s sole name or a share of a property held jointly with the deceased person’s spouse or partner as tenants-in-common. Tenancy-in-common is a written agreement between two people who own a joint asset (usually land or buildings) generally evidenced at the Land Registry if the property is registered.

Normally, a married couple does not have tenancy-in-common unless they have special types of Will. If you aren’t sure about this, you should contact us.

Watch out. You cannot complete a sale on any property owned solely or as tenants in common (where each partner owns a specific share) by a deceased person until the grant has been issued. Properties named in a Last Will cannot be sold until a grant has been obtained. If you put the property on the market, you may lose buyers and incur agents fees if a grant of probate is denied or takes much longer than expected – 6 to 12 months is not uncommon, though we usually obtain them much faster than that.

Watch out. If Inheritance Tax is due and not paid within 6 months of the death, interest is charged. If a full and accurate account for Inheritance Tax is not received by the Taxman within 12 months, there will be **penalties**.

Who can apply for probate?

It isn't necessary for everyone left money or property in a Last Will to apply for probate. Usually, only one person needs to do it – normally the executor(s) named in the Last Will. However, if the person/s entitled to the estate are under 18, two people are legally required to apply for probate. If this is the case they will let you know when they receive your application.

You can apply for probate if you are over the age of 18 and:

- you are an executor named in the Last Will;
- you are named in the Last Will to receive some or all of the estate (if there are no executors, or if the executors are unable or unwilling to apply);
- the deceased person did not make a Last Will and you are their next of kin, in the following order of priority:
 - 1) lawful husband or wife or civil partner (a civil partnership is defined as a partnership between two people of the same sex which has been registered in accordance with the Civil Partnership Act 2004). **Common law partners cannot apply for probate** in preference to legal family. **Watch out.**
 - 2) sons or daughters (excluding step-children) including children adopted by the deceased. (Children adopted out of the family can only apply in the estates of their adoptive parents and not their biological parents.)
 - 3) parents
 - 4) brothers or sisters
 - 5) grandparents
 - 6) uncles or aunts
 - 7) If sons, daughters, brothers, sisters, uncles or aunts of the deceased person have died before the deceased, their children may apply for probate.

If you are not sure whether you are entitled to apply for a grant, contact us or the Probate Registry. If you are a distant relative, supply a brief family tree showing your relationship to the deceased person and any other living relatives who may be closer.

When more than one person wants to apply for a grant, they may make a joint application. A maximum of four applicants is allowed and they will all have to attend an interview with the Probate Service.

Where will I find the Last Will?

The original Last Will may be held at a solicitor's office or bank, or at the Principal Probate Registry in London. It may be among the deceased person's possessions. If you cannot find it, contact your local Probate Registry. If you do not send the Last Will, your application will take longer to deal with. **Watch out:** you are normally under no obligation to use the probate services of the firm who stored the Last Will. You may well find that their fees are considerably more than ours, if you do decide that you need professional help. **Watch out for fees where you pay an hourly rate AND a percentage.** This can triple the cost.

Watch out. Where firms have appointed themselves as executors, they will normally stand down without charge if asked to, though some less honourable firms may still try to charge you their full fee. If they won't, contact Citizens Advice or the Law Society as appropriate. Do bear in mind that some Last Wills are complex, and not taking at least some advice could land you (personally) with a **massive Tax Bill**.

Watch out: if there are Trusts in the Last Will, you need professional advice, so give us a ring.

Some clients Last Wills may be stored with www.WillCustodian.co.uk but they provide storage certificates for clients and the executors, so if you don't have one of those it is pretty unlikely that Will Custodian Ltd will be involved as they keep in regular contact with clients as far as possible.

The Probate Registry will not return the original Last Will to you as it becomes a public record once it has been **proved** (in effect, approved by the Probate Registry and a grant issued). They will send you an official copy of the Last Will with the Grant of Representation. Once probate has been granted, *anyone* can obtain a copy of the Will.

What if I don't want to apply for a grant?

Executors may choose to give up all their rights to probate or they may reserve the right, called **power reserved**, to apply for probate in the future. This option is often used when the executors live in different parts of the country or it is not convenient for one of them to attend the interview due to work commitments. It does not always work out as well as one would wish though as people are not always as honest as you expect. **Watch out.**

Only the executor(s) who attend the interview will be named on the grant and only their signature will be required to release the deceased person's assets for transfer or sale.

If the person who is entitled to the grant does not wish to apply, they may appoint someone else to be their attorney to obtain the grant on their behalf.

The Probate Registry will send a form for them to sign after receiving your application. If the person entitled to the grant has already signed an Enduring Power of Attorney (EPA) or a registered Lasting Power of Attorney (LPA) please file the original document with your application.

Why do I need to think about Inheritance Tax now?

The tax on the estate of a person who has died is called Inheritance Tax. It is dealt with by HM Revenue & Customs (HMRC) (Inheritance Tax). It only applies to a modest percentage of estates. If Inheritance Tax is due, you normally have to pay at least some of the tax before the Probate Registry can issue the grant.

The issue of the grant does not mean that HMRC (Inheritance Tax) have agreed the final Inheritance Tax liability. They will usually contact you again after you have received the grant. Subject to the requirements to pay some of the tax before obtaining the grant, Inheritance Tax is due six months after the end of the month in which the person died. HMRC (Inheritance Tax) will charge interest on unpaid tax from this due date whatever the reason for late payment.

***Watch out* Estates potentially over £325,000 when the second partner dies.**

What many people do not realise is that the estate for the first of a married or civil registered couple must be completed correctly and the information retained if the transferable Nil Rate Band Inheritance Tax allowance is to be available on the second death. **This can waste up to £130,000 in needless tax.** And just because the first estate is way below the limit doesn't mean the survivor won't win the lottery, or inherit.

How do I apply for a grant? We offer two cheap options:

a) www.DIYprobateUK.com is an online service with plenty of online help to get you through the process, and the cost is much less than an hour of a solicitors time in a straightforward case. And if you can't cope, we can take over from where you got to and hopefully your work will save us a lot of time, and keep the bill down.

b) Do it Yourself Unaided

You will need to follow the process explained here:

1) Complete the application form

You will need to complete Probate Application form PA1, using Guidance Leaflet PA1A and IHT206. You can also get these forms from your nearest probate registry

These documents can also be downloaded from the HMRC website or by ringing the nearest Probate Registry (numbers on our site under Registries).

On the application form, you must choose which Probate Registry interview venue you would like to visit – you can choose the one which is most convenient for you, and any other executors.

2) Complete the tax form

When you apply for the grant, you will need to complete a tax form whether or not Inheritance Tax is owed. You should use form IHT205 if no Inheritance Tax is owed. If form IHT205 is not applicable to you, please contact HMRC (Inheritance Tax) for form IHT400. This simple step is the one which may well require a massive amount of work especially if good records are not available. The values of all of the joint and solely owned assets need to be accurately checked as at the date of death. Gifts made up to 7 years ago (and sometimes 14) may need to be ascertained as they may need to be used in calculating any Inheritance Tax due.

The penalty for being late starts at £100, and the Taxman can add a further £60 for every day the IHT Return is late. Under normal circumstances this penalty will not exceed £3,000 or the amount of tax payable if less. If the penalty is not paid promptly, additional penalties may be imposed. **However**, if the tax is not paid in full on time, interest will be charged. If your calculations are challenged and prove incorrect penalties can be double the amount of tax due or incorrectly calculated – so if the tax was £100,000 and your return ignored gifts within the relevant period and said that no tax was due, the penalty could be as much as £200,000 making a total bill of £300,000. Estates with potential Inheritance Tax liabilities should pretty much always ask us for help, even if we don't do everything.

IHT due must be paid six months after the end of the month in which the deceased died.

3) Decide how many official sealed copies of the Grant of Representation you need

Organisations like banks and building societies need to see sealed copies of the grant before they can release assets to you. They won't accept unsealed photocopies.

So if you want to deal with the estate quickly, you may want to order enough sealed copies of the grant to send to all the organisations you are dealing with at the same time. There is no guarantee that they won't be lost in the post or lost by the organizations you send them to, so spare copies are a wise investment!

4) Overseas Assets

If there are any assets held outside England and Wales, you may require a special copy of the grant – usually referred to as a sealed and certified copy.

Additional copies of the grant.

If any person or organisation holding assets insists on seeing an official copy of the grant, you can write to the probate registry which issued the grant to order more sealed copies. However, these will cost more than those ordered at the time of application, so it's important to decide before you apply for the grant how many copies you will need.

Make sure you enclose the correct documents:

- An official copy (not a photocopy) of the death certificate issued by the Registrar of Births Deaths and Marriages or a coroner's certificate.
- The original Last Will and any codicils (or any document in which the deceased person expresses any wishes about the distribution of his or her estate). Keep a copy of any Last Will or codicil you send the Probate Registry. Please do not attach anything to the Last Will by staple, pin etc. or remove any fastenings from the Last Will.
- Any other documents specifically requested by the Probate Service, such as a decree absolute.
- A cheque made payable to 'HM Courts & Tribunals Service' for the application fee, together with the cost of the number of official sealed grants you require.

Where should I send my application?

You should send your application to the probate registry of your choice (see www.TheProbateDepartment.co.uk for a list of Probate Registry addresses – be careful not to send your application to an unmanned sub registry!) You should send your application by registered or recorded post. But please don't send them to us – we are a private company!

Processing the application

When the Probate Registry receive your application, they will examine it and contact you if there are any queries. If you want an acknowledgement your application, send a stamped addressed envelope.

If your application is complicated, the Probate Registry may require you to sign additional documents or contact other people – for example, a witness to a Last Will – so that they can interview them or obtain their signatures on documents to help with your application.

If there are no problems, they will send you a letter (usually between 2 and 7 weeks after they receive your application) inviting you to a 10-15 minute interview at the location you have chosen. If you have chosen to be interviewed at a sub Registry – some of which only open every two months, it may be much longer, so do check first. If you are applying for a grant with someone else and they cannot come with you, you can arrange for them to attend an interview separately at a different location if necessary. This will, however, delay the issue of your grant.

What happens at the interview?

The interview is simply to confirm the details you have given on the forms and to answer any queries you or the Registrar may have.

They also ask you to sign a form of oath and to swear or affirm before the interviewing officer that the information you have given is true to the best of your knowledge. You will be given the opportunity to swear on the religious book of your choice.

Take proof of identification which includes a photograph (such as your driving licence or passport) to the interview. Your appointment letter will tell you about any other identification which is required. The interview is your chance to tell the interviewing officer if your case is urgent or if you wish to collect the grant in person.

What happens after the interview?

If everything goes smoothly, they will send you the original grant and copies of the grant (if you have requested them) and the original death certificate. The interviewing officer should be able to let you know how long this will take. If it is not possible to issue a grant, they will explain the reasons.

The Probate Registry retain the original Last Will, as it becomes a public record.

How do I use the grant?

When the grant has been issued you will receive information concerning your role as the executor. You will then have the legal right to ask any person or organisation holding the deceased person's money or property to give you access to these assets. These assets can then be released, sold or transferred as set out in the deceased person's Last Will.

All grants of representation are public records.

The responsibility of the Probate Service ends when the grant is issued, and they cannot advise you on how to administer the estate. If you have any questions about this, you should contact us (preferably!).

If you do decide to do it yourself, we recommend considering www.DIYProbateUK.com to help you through the process.

The Economical help with probate Probate Department

The Probate Department Ltd is a *business* offering probate help at sensible fees. We are not the Probate Registry, which is a Government Department.

You can contact us on 01323 741204 or info@ProbateD.co.uk should you need help at relatively modest fees (typically half of those charged by High Street solicitors and banks.) Or go for some help at rock bottom costs at www.DIYProbateUK.com

Tip 1 is to make sure you register the death as soon as possible, and ask for extra copies of the death certificate to speed the work of probate. The trouble is that most people will want to see the death certificate before they will give the executors any information at all. And when you do send the death certificate to banks, insurance companies etc, many will take weeks to return it, and some never will. And it costs more to get further certificates afterwards than it does to get extra at the time - especially if you are employing professionals! We would typically suggest 6 to 10 copies. More if the estate is complicated.

Tip 2 is to ask at the time the death is being registered if the Registrar' office is connected in to the '**Tell Us Once**' Service which notifies all relevant Government Departments in one go. Saves a lot of time. More on that shortly.

More on registering a death – download our free Guide What the Registrar Needs at www.TheProbateDepartment.co.uk

Tip 3 Funerals

a) The Undertaker

Most undertakers are part of big national chains, despite the names on the door. which may mean that they are under some pressure to hit sales targets. According to Channel 4's Dispatches, the Co-op are particularly target driven, and you may not even become aware of their cheaper options. Just make sure that you are aware of all the options and don't be guilt tripped or railroaded into going for more expensive options you don't want. If you do use a particularly good independent family run undertaker, please let us know as we're trying to add a list of good ones in each area to our website.

More time spend on ways to make the funeral as pleasantly memorable as possible – we often finds that giving away small remembrances is very positive.

b) Paying for the Funeral

If the funeral hasn't taken place yet, you may find this site really useful:

http://www.pre-needfuneralplanning.co.uk/Funeral_Books.html - we have pointed you at a page with relevant books on it, but the rest of the site is worth exploring too.

Many people with foresight arrange **pre-paid funeral plans**, so you should check to see if you can find any relevant documentation. Others arrange insurance plans which

provide a lump sum towards the funeral, the most common of which is Axa Sun Life. Personally, I prefer prepaid funerals, and that is what we recommend to our clients (details on request). If you take out a policy for £2,000 and inflation has doubled the cost of the funeral, then a pre-paid funeral plan probably offers better protection against inflation.

Common plans are Golden Charter, Golden Leaves, Coop etc etc.

Most banks will pay for the funeral out of the deceased's bank account or savings account if there is sufficient money, so it is always worth asking, as it avoids the family feeling they have to find the money themselves at what may not be the easiest of times. But don't expect the bank to cough up for a wake - they won't and you will end up footing the bill, at least in the short term.

If you or the deceased cannot afford a funeral, [check out the Social Fund here: https://www.gov.uk/funeral-payments](https://www.gov.uk/funeral-payments)

This site is the only site we know of which provided independent advice on which **prepaid** funeral plan is most appropriate: www.PrepaidFuneralReview.co.uk

b) Funerals Thoughts

[Check out this guide to arranging funerals:](http://www.ifishoulddie.co.uk/arranging-a-funeral-c74.html)

<http://www.ifishoulddie.co.uk/arranging-a-funeral-c74.html>

From our experience. it is very, very easy to upset people as everyone seems to know what the deceased wanted in terms of arrangements - but they all know something different. **Watch out.** This can lead to heated and even violent exchanges, so tread delicately.

The best thing is to have specific instructions from the deceased, and perhaps the second best (if you are the spouse or child) is to agree specific instructions with those close to the deceased - if handled sensitively and you really do implement what the deceased would have wanted rather than what you want, then it may save a lot of grief. Just try not to tread on anyone's sensibilities!

And please don't persuade children or anyone else to see the body to say goodbye unless they REALLY want to or it is an essential part of your religion - it can scar them for life.

Tip 4 Intermeddling **Watch out.**

If you are not the properly appointed Executor in the Will, or there is no Will, then you can lumber yourself with the job and associated liabilities by acting as if you were the executor - the legal term is "intermeddling." Acts of charity, humanity or necessity are usually OK, for example arranging the funeral (see previous tip) ordering food for dependents etc are normally fine as is moving property into a safe place. Going beyond this can make you liable and, if you are an executor, make it impossible for you to stand down. So be very careful to do the minimum that is essential at this stage.

Tip 5 Personal Liability **Watch out.**

Remember that the executors retain a permanent and PERSONAL liability for any mistakes - for example, making an incorrect tax return, or not tracking down a beneficiary. The Taxman in particular can and will levy very substantial penalties if you accidentally or deliberately mislead him about any tax which might be due.

Tip 6 - The Will

Just over half of us have a valid Last Will and testament when we die.

A substantial number of Wills are never found, and many are never signed in front of two INDEPENDENT witnesses (which means they are not valid). If there are overseas assets, you have to be especially careful that an overseas Will does not exist which might have cancelled the UK Will - not at all uncommon. **Watch out.**

If you can't find the Will, ask the local Law Society to circulate their members with the name, address and date of birth of the deceased and the Society of Will Writers (01522 687 888) to do the same. It won't always work, but you do need to try. Some Wills are stored by the Principal Probate Registry whose details can be found along with other suggestions at <http://www.WillCustodian.co.uk>. Not only do they give the testator and the executors nice laminated certificates of storage, which won't get lost as easily as a single letter from a solicitor, they also actively help people to keep their legal planning up to date. The Law, Tax and Personal circumstances change all the time, so even a 3 year old Will may be out of date.

Tip 7 Will With Trusts or Beneficiaries Under 18

Wills with Trusts in and Wills where children under the age of 18 are beneficiaries. This means a Trust will automatically be created which complicates matters, so you are more likely to need our help. If the trust runs past the age of 18 life gets more complicated still. **Watch out.**

Trust started back in the days of the Crusades, where knights might be away from home for years, and needed someone to run their estates while they were away - on trust. There were a few problems to start with until the Courts started to formalise the Law of Trusts, and now Trusts are a part of every day legal planning:

- To protect children, at least until they are 18
- For [tax planning](#) purposes.
- To [protect homes](#) from being sold by local council to pay care fees.
- To avoid disputes from people claiming dependence on the deceased - an increasingly common issue which can cost a fortune to defend against. Let us hope this won't be an issue with the person you are dealing with as it could be years before everything is sorted.

We had a case a while back where the widower decided to ignore professional advice and carry out probate himself: not only did he open himself up to a charge of theft (from his own children) he created a potential tax charge - quite unnecessarily - of over £100,000. There was no evil intent in this case at all, and none of the family were unhappy - fortunately.

The lesson is that you should take professional advice if there is any form of trust in the Will you are dealing with.

Tip 8 What If there is no Will?

If there is no will (known as dying intestate) the process is more complicated and the [Rules of Intestacy](#) will decide who benefits. An application for a grant of letters of administration (an official document, issued by the court, which allows administrators to administer the estate) will need to be made. And everything doesn't go to the spouse, and NOTHING goes to a long term partner without a legal battle (unless the property is in joint ownership, and then it will depend on the [type of joint ownership](#).)

The person to whom letters of administration is granted is known as the administrator. The administrator is the person who has the legal right to deal with the affairs of the person who has died, and is determined by a set order of priority. The administrator will usually be a close relative of the person who has died, if there is one. There may be more than one person who has an equal right to do this.

Tip 9 Life & Pensions – Claiming the Benefits

Very often the institutions will be the ones who insist that a full Grant of Probate is applied for - I know in my fathers case we had to do so before one life company would release a £1,500 investment.

Many **life insurance policies** are written in Trust and some investments are written in TRUST which means that the policy has been earmarked for certain beneficiaries and is controlled by the appointed Trustees. This will usually mean that it is NOT part of the estate for probate purposes (a blessing) – but it may be for Inheritance Tax purposes. If you can't find a copy of the Trust deed, ask the persons IFA or the life company for a copy, though they will probably want a copy of the Will and an original death certificate before they will give you a copy, especially if you are not one of the Trustees. Ring them first and ask what they want from you.

Not all life policies are in Trust - some older ones are "assigned" to the mortgage lender, often a lender who no longer exists or who no longer has a mortgage on the house. If you are lucky and the policy is assigned, sending the death certificate may wipe out the mortgage. That said, very few life policies are assigned these days, and if they are neither assigned nor in trust they may well just form part of the estate, except where they are Joint Life policies where generally the proceeds will go to the survivor if it is not in Trust.

Many investments are (legally) life policies - normally known as Investment Bonds - so the same may apply to them - ask the family IFA (if you haven't got one, we know lots of them!)

Tip 10 - This one is for Beneficiaries and Executors

I know this is a bit early, but it might affect exactly when you pay out beneficiaries. It may even be appropriate to do a Deed of Variation to create a Trust to look after the beneficiary to avoid them losing State Benefits, though this would be cheaper and better organised in the Last Will.

Many State Benefits are means tested - which may mean that receipt of a lump sum inheritance disqualifies them from receiving it. Many don't realise this, and if they don't, they could end up in Court, so please do warn them.

With **prior** planning it is possible to avoid this issue - email our Will Writing colleagues support@apww.co.uk

Tip 11: Claim Bereavement Payment, Bereavement Allowance or Widowed Parent's Allowance

You may be able to get a one-off payment or regular payments if you have been bereaved.

A Bereavement Payment is a one-off lump sum based on your late husband or wife's national insurance (NI) contributions. It used to be called Widow's Payment.

Bereavement Allowance is a regular payment, paid for 52 weeks from the bereavement, and based on your late husband or wife's NI contributions. It used to be called Widow's Pension.

Widowed Parent's Allowance is a regular payment which you may be able to get if you are a parent whose husband, wife or civil partner has died and you have a dependent child or young person (aged 16 and under 20) for whom you receive Child Benefit. It used to be called Widowed Mother's Allowance.

Bereavement Payment, Bereavement Allowance and Widowed Parent's Allowance are available in England, Scotland and Wales only.

The Bereavement Benefits link below provides more information on these payments and allowances.

[Bereavement benefits \(money, tax and benefits section\)](#)

Conclusion.

We at the Probate Department Ltd hope that you find these tips useful (and will let us know if anything needs to be added – email me personally steve@ProbateD.co.uk .

Should you want any help, you know where we are – our instruction form follows.

NEVER attach anything to or mark a Last Will as it may invalidate/cancel the document
 Do call us to go through this form which is relevant where there is a valid Will.

INSTRUCTION to obtain a Grant of Probate **ONLY** for the **NON TAXABLE** estate of:

FULL name:			
Date of birth	Date of death	Marital status at time of death	
Address of deceased:			
		Postcode:	

Has death been registered? **If Yes please send us an original death certificate.**

Has funeral taken place? **Yes/ No** If not, please give details and check if there is a plot or a pre-paid funeral plan. Has it been paid for? **Yes/ No** Cost of funeral £_____

Is there a valid Will? **If yes, please send us a copy. No Will? Please supply a complete family tree.**

National Insurance no. of deceased:									
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For fixed fee probate we need just ONE contact, who will be the first named below.

Executors (first named only is our contact)	date of birth	relationship to deceased
1)	/ /	
2)	/ /	
3)	/ /	
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Contact details for executor 1:

		Postcode:	
Phone:		Email:	

Our terms and conditions of business are at <http://www.theprobatedepartment.co.uk/contact-us/tob/> or on request. The fixed fees of **£800 plus VAT** and **disbursements** (typically £50 to £60) are for Grant application on the basis of you providing us with a **full and accurate list** of the deceased's assets and liabilities with the **values at the date of their death**. Please send an initial £200 by cheque, card or bank transfer.

If you have additional questions or wish us to deal with other work, for example; writing to asset and liability holders, collecting in the assets or dealing with beneficiaries, we charge at the rate of £115 +VAT an hour for a Case Worker and £150 +VAT for a Supervisor (rate as at January 2012, subject to annual review and VAT), plus any out of pocket costs. More complex work is charged at £195 +VAT per hour, only after discussion and agreement. Fees will be invoiced on a monthly basis and either claimed from the Estate or person instructing as works progress.

The person issuing the instructions can ask us to stop work at any time but remains irrevocably committed to paying the fees (which in practice would normally be recovered from the estate.)

Your acceptance of our terms

