

Wills, Trusts and Probate

What to do following a death



There are a number of things to be done following a death. Many of them are straight-forward administrative tasks but they are all important.



Register the death at your local Registry Office.

You should check if you are the appropriate person to register.

Information required by the Registrar:

- Date and place of birth
- Full name and address
- Any other or prior names/maiden name
- Most recent occupation
- Marital status and occupation of spouse (whether living or deceased)

The Registrar will also ask for the name of the Funeral Director appointment and whether there is to be a burial or cremation.



Locate the original of the latest will.

Their home or solicitors are most likely to have this. This will confirm who the executor is and responsibility for administering the affairs of the Deceased and dealing with the following tasks.



Contact the Funeral Directors who will be handling the funeral.

The will might direct which funeral director to use or a funeral policy the Deceased had in place may do so as well. Failing that, the executor of the Deceased's will can choose who to instruct.



Inform all the Government departments using the online 'Tell us Once' service.

The Registrar will provide the contact details and reference. You will need the Deceased's:-

- Driving licence
- Passport
- National Insurance Number
- Car Number Plate
- Details of any benefits they received
- Local council services they benefitted from (such as blue badge holder)
- Details of any surviving spouse and/or the next of kin, including National Insurance Number
- Details of any Government occupational pensions.



Notify all asset holders of the death and obtain date of death asset valuations.

You will need the death certificate to do this and this is most easily done by visiting offices or branches of the institutions, although increasingly this can be done online via individual websites or the Death Notification Service.



Notify any creditors and obtain date of death liability valuations.

You will need the death certificate for this and it may be hard to locate everyone who is owed money – checking through all the paperwork at the Deceased's house is the best place to start.



Prepare the Inheritance Tax return and pay any tax due.

It is highly advised to seek a solicitor's help for this part because if you calculate the tax wrong, then you as the executor/administrator will be personally liable to ensure the tax is paid.



Prepare the application for grant of probate or letters of administration.

In most cases where the Deceased has a will the application is made online via the government website. Some cases require a paper application. This is completed using a form PA1P or PA1A and both can be obtained from the government's website. Note there is an application fee for submitting this application.



Once the grant or letters are issued, gather in the assets and settle any liabilities.

You will need to send an original copy of the grant to each institution so make sure you order enough grants to cover this.



Distribute according to the wishes and directions of the will and any codicil.

(Or in accordance with the Intestacy Rules if there is no will). Be especially careful if:-

- There is a creditor who has not been paid or you do not know how much they are owed
- If there is a legal challenge to the will and court proceedings have begun
- You have not yet confirmed that you have found every beneficiary - sometimes people lose touch and move away and it can be hard to track them down but you must do so before paying anything out
- You have not confirmed that the beneficiaries are free of bankruptcy or similar proceedings.



Finalise the estate.

Double-check all assets and liabilities are accounted for and that all inheritance Tax and other taxes have been paid.

If you have difficulty with any stage of this process please contact our specialist team who are always here to help.

About Machins

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