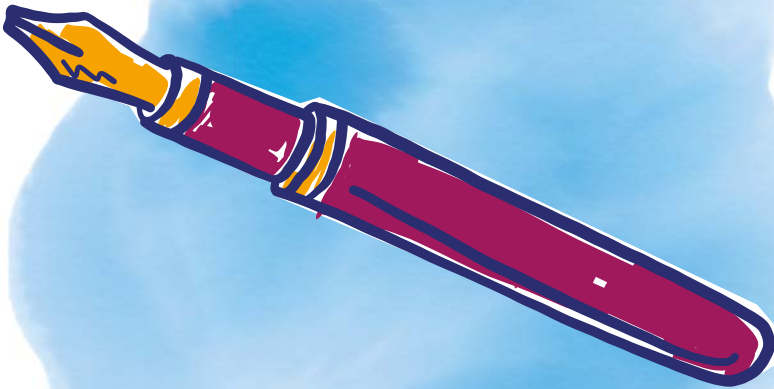


# How to be an executor



What to expect and  
key responsibilities

# Information written with you in mind.

This information guide has been produced with the help of older people, carers and expert peer reviewers.

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## What this guide is about

When someone you care about dies, sorting out wills and estates might be the last thing on your mind, or it might be a welcome distraction. However you're feeling, if someone has asked you to be the executor of their estate, there are things you need to do after their death.

This guide explains the steps you need to take and where to find help if you need it.

For more detailed information on the topics covered in this guide, see our factsheet **Dealing with an estate**. Our guides **Bereavement** and **When someone dies** also contain more support and advice.



This symbol indicates where information differs for Wales and Northern Ireland. As far as possible, the information in this guide is applicable across the UK.

# Deciding to be an executor

## What is an executor?

Anyone who makes a will must name an executor. An executor is legally responsible for carrying out the instructions in the person's will and handling their estate (their money, property and possessions).

### Who can be an executor?

You can act as an executor even if you're going to inherit something from the will. In fact, an executor is often a spouse, child or other family member. The person making the will can appoint up to four executors, so the responsibility is shared, but all decisions must then be made jointly. A family member and a professional (such as a solicitor) might act as executors together. Often, at least two executors are appointed, just in case one dies or is otherwise unable to carry out their duties.

### What do executors do?

- They make sure all property owned by the person who has died is secured as soon as possible after the death.
- They collect all assets and money due to the estate of the person who has died (including property).
- They pay any outstanding taxes and debts (out of the estate).
- They distribute the estate to the people who are entitled to it under the terms of the will.
- If the will contains specific instruction to do so, they will also arrange the funeral.

### Before you agree to be an executor

Being an executor isn't easy. It can take up a lot of your time and it might be the last thing you feel like doing when you're grieving – so think carefully before you agree to take on the responsibility.

## Can I change my mind?

Once you've accepted the role of executor, you have several options if you later change your mind:

- If possible, talk about your decision with the person who appointed you so they can change the name of the executor in their will.
- If the person has died and you haven't yet started to deal with their estate, speak to the Principal Probate Registry (page 20) or to a legal professional about your options. You may need to complete a Form of Renunciation.
- If you've already started to deal with the estate, you cannot step down unless you have a good reason, such as ill health or a family emergency.



If you live in Northern Ireland, you can only appoint someone to act in your place if you are incapable of dealing with your own affairs.

### Good to know



If you decide to take on the role of executor, the Tell Us Once service (page 20) might come in really handy. If it's available in your council area, it allows you to report a death to most government departments in one go. In Northern Ireland, contact the Bereavement Service (page 19).

# An executor's key duties

Being an executor can involve a lot of time and work during a difficult period. The tasks involved can sometimes take months to complete, so think carefully before you agree to take on the role. It can seem daunting, but this section talks you through some of the key duties. It's important to note that not every duty below will be relevant to you and your situation.

The tasks most associated with being an executor include:

- registering the death
- getting copies of the will
- arranging the funeral
- taking responsibility for property and post
- valuing the estate
- sorting out finances
- dealing with any assets
- paying any Inheritance Tax
- applying for probate
- distributing the estate.

## Good to know



A solicitor can be especially useful in helping you with your role as an executor. Find a solicitor by contacting the Law Society (page 20) or Solicitors for the Elderly (page 20).

## Registering the death

If necessary, register the death and notify the person's GP. This isn't something an executor is required to do but you may need to do it if there's no one else who can.

It's a good idea to pay for several certified copies of the death certificate now, as it will be more expensive to request additional copies later. Unless you're employing a solicitor to deal with the estate, you might need a copy for each company that holds money or other items of value that belonged to the person. These companies are sometimes known as 'asset holders' and often include the person's bank, insurance providers, landlord, and TV licensing.

**“After my friend passed away, it was a tough time for everyone, but I made sure I registered the death.”**

Norman, 73







## Getting copies of the will

It can be difficult to talk about death, so you might not know how the person who has died would like their estate to be distributed. This should all be outlined in their will.

- Find out where the most up-to-date version of their will is held and get the original (or a copy, if that isn't possible). To access the will, you must provide a death certificate and proof of your identity. Any other executors must confirm they are happy for you to have the will.
- Make copies of the will for yourself, co-executors and beneficiaries, and then put the original away in a safe place. Don't tamper with the original or copies in any way (this includes adding staples or paper clips).



## Arranging the funeral

If the person who has died left instructions for their funeral, it's your responsibility to ensure they're followed. For some executors, arranging the funeral can be a welcome distraction from their grief and sadness, but for others it can be incredibly difficult.

- Don't be afraid to ask family and friends for support – both practical and emotional. Many tasks, such as calling people to make arrangements, can be delegated, and you may feel better if you can talk to someone about what you're going through.
- If there is a funeral plan, contact the provider as soon as you can. When you receive an invoice for the funeral, you can take it to the person's bank or building society along with a death certificate, the will and your identification. You should be issued with a cheque for the amount due, made payable to the funeral director.
- Inform family, friends and work colleagues of the death. You could put a notice in the local or national newspapers with funeral details, so that people can attend if they wish.

## Taking responsibility for property and post

It can feel strange taking responsibility for someone's property so soon after their death. It can trigger memories and bring up a lot of emotions – but if their property is unoccupied, it's best to secure it and inform the insurers as soon as possible.

The estate itself may have to replace the person who has died as the policy holder, and the insurer may ask you to make regular checks on the condition of the property while it's unoccupied. You may have to get a new home insurance policy if the current one doesn't cover an empty property.

To stop postal deliveries, contact the Bereavement Register (page 19).



## Valuing the estate

The executor needs to value the estate of the person who has died. Start with everything they owned at the time of their death. This includes property, possessions and money (minus any debts, such as a mortgage, loans and bills). The estate may also include assets held jointly with others.

It's important that you check how these assets were held to see if they form part of the estate. For assets such as property or land, you should get a professional valuation. HMRC recommends having items worth more than £500 valued professionally.

You don't need to value the property immediately after someone dies, unless the estate owes Inheritance Tax (see page 15). If it does, you'll need to send Inheritance Tax forms within one year and start paying tax by the end of the sixth month after the person died. You can make a payment before you finish valuing the estate.

You can report the value of the estate online at [www.gov.uk/valuing-estate-of-someone-who-died/tell-hmrc-estate-value](https://www.gov.uk/valuing-estate-of-someone-who-died/tell-hmrc-estate-value).



## Sorting out finances

You'll need to send an original death certificate to any asset holders, such as banks, building societies and insurance companies. You should also ask for any direct debits to be cancelled and find out the account balances and investment values on the date of the death.

- You should stop the payment of any salary, pensions and state benefits to the person who has died. Advise the issuers of their credit cards, passport, driver's licence and TV licence of the death and act on their instructions.
- Request information on any debts and any overpayments. Check through paperwork, looking for bills or statements. Contact the organisations that issued them, such as energy suppliers or the local council, to ask if the deceased person owed any money. If you think there might be more debts than assets, the estate might be insolvent. In that case, you'll need professional help before you do anything else.
- If you don't use the Tell Us Once service (page 20), contact the deceased person's tax office to find out whether any other tax, such as Income Tax, is owed.
- Some banks offer an executor's account into which you can transfer any money paid to the estate. This stops estate money getting confused with your personal finances.
- Before you distribute the estate, you have to pay any outstanding tax, debts or bills. It's a good idea to place what's called a 'statutory notice for creditors' in the press, allowing two months for any claims to be made. If you don't, you and any other executors are personally responsible for any claims that arise. If you place the notice, any future claims against the estate are made against the beneficiaries instead.
- Get clearance from HMRC for any Inheritance Tax, Income Tax or Capital Gains Tax liability.

# Dealing with any assets

## Joint accounts

Normally, any money held in a joint account automatically transfers to the surviving joint owner. Send a death certificate to the bank so that it can update its records. The share that belonged to the person who has died is included when calculating the value of the estate for Inheritance Tax.

## Jointly owned property

If the person owned property with another person as ‘beneficial joint tenants’, their share of the property automatically passes to the surviving joint owner. The property itself doesn’t form part of the estate, but the value of the deceased person’s share in it is included when calculating the value of the estate for Inheritance Tax.

## Pension schemes

If the person who has died had a pension, contact the pension provider and supply them with a death certificate. Ask whether death benefits are payable and whether there is a pension for a spouse, civil partner or children. Confirm whether any money can be paid directly to someone, rather than forming part of the estate. If the money does form part of the estate, check whether the amount needs to be included in any Inheritance Tax return.

## Life insurance policies

If the person had a life insurance policy, contact the insurance company as soon as possible to find out what you need to do before it can pay out. Confirm whether any money should be payable directly to a beneficiary, rather than forming part of the estate. If it does form part of the estate, check that the amount doesn’t need to be included in any Inheritance Tax return.

## Debts

Collect any debts owed to the person who has died.

## Paying any Inheritance Tax

Inheritance Tax may have to be paid on the estate if it's worth more than the £325,000 threshold.

If a house is left to the children or grandchildren of the person who has died, the tax-free allowance on its value increases to £475,000. After that, the tax payable is 40%.

There's no Inheritance Tax to pay on estates left to a spouse, civil partner or charity. If one partner dies and has not used their tax-free allowance, this can be passed on to the surviving partner, giving them a higher threshold of up to £950,000 before Inheritance Tax will apply.

If there could be Inheritance Tax to pay, get a professional valuation on high-value items such as a house or stock market investments, as you need to give HMRC a detailed account along with valuations. If the valuations aren't accurate, you may have to pay penalties. List any major gifts made by the deceased person in the previous seven years, as these may be liable for Inheritance Tax.

You can order an Inheritance Tax form by calling the Probate and Inheritance Tax helpline (page 20) or go online at [www.gov.uk/government/collections/inheritance-tax-forms](http://www.gov.uk/government/collections/inheritance-tax-forms) to download one.

If necessary, you can arrange an executor's loan account with a bank to pay Inheritance Tax. Sometimes the deceased person's bank or building society may release money to pay Inheritance Tax without requiring a loan arrangement.

# Applying for probate

A grant of probate gives you the legal right to deal with someone's estate.



You may not need one for a small estate (usually less than £5,000 in England and Wales, or less than £10,000 in Northern Ireland). In this case, write to the deceased person's bank or building society.

To apply via post, you'll need to complete a PA1 form and the relevant Inheritance Tax form. Call the Probate and Inheritance Tax Helpline (page 20) to request these forms, then send them to the local Probate Registry along with:

- a certified copy of the death certificate
- the original will, plus three copies
- the fee of £215.



In Northern Ireland, contact the Probate Office (page 20) to get the correct forms and arrange an appointment. A fee of £261 applies if the estate has a net value of more than £10,000.

Go to **[www.apply-for-probate.service.gov.uk/start-eligibility](http://www.apply-for-probate.service.gov.uk/start-eligibility)** to apply online. You can pay online and you won't need to send a copy of the will. But you'll be asked how many copies of the grant you need.

When you receive a grant of probate, make several copies, as you will need them for asset holders. Send an official copy (as issued by the Probate Registry) with instructions to asset holders. When the assets are released, pay the proceeds into the executor's account (except for anything that has been specifically passed on to someone else).

You must pay any Inheritance Tax due before applying for the grant of probate (see page 15 for more information).



# Distributing the estate

These are the main tasks involved in distributing the estate:

- If the will states that a specific item of personal property is to be given ('bequeathed') to someone, you can do this before probate is granted – but make sure you have the item valued.
- When probate is granted, draw up estate accounts for each beneficiary, accounting for all the assets collected, income built up and any bills paid.
- Beneficiaries who are bankrupt may not be entitled to receive their inheritance from the estate. Carry out bankruptcy searches on the beneficiaries by searching on the Individual Insolvency Register (page 20). To find out more, go online at [www.gov.uk/search-bankruptcy-insolvency-register](http://www.gov.uk/search-bankruptcy-insolvency-register) or call the Insolvency Service's enquiry line on **0300 678 0015**.
- Distribute the estate in accordance with the terms of the will, making sure at least two trustees are named for any gifts left to beneficiaries under 18. You may want to wait two months after probate is granted before distributing the estate, in case any claims are made against it.
- Give each beneficiary an R185 tax form (ask the Probate and Inheritance Tax Helpline for more information – see page 20) for their share of estate income. Keep clear records of the work you've done, so you can answer any questions or challenges over how you administered the estate.

## Next steps

See our guide **When someone dies** and our factsheet **Dealing with an estate** for more information.

# Useful organisations

## Age UK

We provide advice and information for people in later life through our Age UK Advice line, publications and website.

### **Age UK Advice: 0800 169 65 65**

Lines are open seven days a week from 8am to 7pm.

**[www.ageuk.org.uk](http://www.ageuk.org.uk)**

In Wales, contact Age Cymru Advice: **0300 303 44 98**

**[www.agecymru.org.uk](http://www.agecymru.org.uk)**

In Northern Ireland, contact Age NI: **0808 808 7575**

**[www.ageni.org](http://www.ageni.org)**

In Scotland, contact Age Scotland: **0800 124 4222**

**[www.agescotland.org.uk](http://www.agescotland.org.uk)**

## **Bereavement Register**

Register of names and addresses of deceased persons to help stop unsolicited mail.

Tel: **020 7089 6403**

Tel: **0800 082 1230** (24-hour automated registration service)

**[www.thebereavementregister.org.uk](http://www.thebereavementregister.org.uk)**

## **Bereavement Service**

For reporting the death of someone receiving Social Security benefits in Northern Ireland.

Tel: **0800 085 2463**

**[www.nidirect.gov.uk/contacts/bereavement-service](http://www.nidirect.gov.uk/contacts/bereavement-service)**

## **Citizens Advice**

National network of advice centres offering free, confidential, independent advice, face to face or by telephone. Website offers online information and you can use it to search the details of your nearest Citizens Advice.

In England, call Adviceline: **0800 144 8848**

**[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)**

In Wales, call Advicelink: **0800 702 2020**

**[www.citizensadvice.org.uk/wales](http://www.citizensadvice.org.uk/wales)**

## **Cruse Bereavement Support**

Provides emotional support and information across England, Wales and Northern Ireland through local services offering face to face support and a national helpline.

Tel: **0808 808 1677**

**[www.cruse.org.uk](http://www.cruse.org.uk)**

## **HM Revenue and Customs (HMRC)**

For information about taxes, including Probate, Inheritance Tax and Trusts and Deceased Estates.

Tel: **0300 123 1072**

**[www.hmrc.gov.uk](http://www.hmrc.gov.uk)**

## Individual Insolvency Register

To search for bankrupt beneficiaries.

Tel: **0300 678 0015**

**[www.gov.uk/government/organisations/insolvency-service](http://www.gov.uk/government/organisations/insolvency-service)**

## Law Society of England and Wales

Representative body for solicitors in England and Wales. Use the 'find a solicitor' search tool on its website.

Tel: **020 7242 1222**

**[www.lawsociety.org.uk](http://www.lawsociety.org.uk)**

In Northern Ireland, contact the **Law Society of Northern Ireland**

Tel: **028 9023 1614**

**[www.lawsoc-ni.org](http://www.lawsoc-ni.org)**

## Principal Probate Registry

Information and advice on dealing with an estate and contact details for local probate registries.

Tel: **0300 123 1072** (Probate and Inheritance Tax helpline)

**[www.gov.uk/wills-probate-inheritance](http://www.gov.uk/wills-probate-inheritance)**

In Northern Ireland, contact the **Probate Office**

Tel: **0300 200 7812**

## Solicitors for the Elderly

National organisation that provides specialist legal advice for older and vulnerable people, their families and carers.

Tel: **0844 567 6173**

**[www.sfe.legal](http://www.sfe.legal)**

## Tell Us Once

Allows you to inform several government departments about a person's death at once, such as the housing department, the DVLA and HMRC.

**[www.gov.uk/tell-us-once](http://www.gov.uk/tell-us-once)**



† The Age UK network includes the charity, its trading companies and national partners (Cymru, Scotland and NI). We also work closely with local Age UKs. Age UK is a charitable company limited by guarantee and registered in England (registered charity number 1128267 and registered company number 6825798). The registered address is Tavis House, 1–6 Tavistock Square, London WC1H 9NA.

# Can you help Age UK?



If you would like to, please complete the donation form below with a gift and return to: **Freepost Age UK REPLY**. Alternatively, you can phone **0800 077 8751** or visit **www.ageuk.org.uk/donate**. If you prefer, you can donate directly to one of our national or local partners. Thank you.

## Your details

AGUK0081 MXAQ21CA08C013

Title:  Forename:  Surname:

Home address:

Postcode:

Email address:

We'd<sup>†</sup> like to keep in touch with you to tell you about the vital work we do for older people, our fundraising appeals and opportunities to support us, as well as the products and services you can buy.

**I do not wish** to receive communications by post.

We will never sell your data and we promise to keep your details safe and secure.

Please tick the box to let us know all the ways you'd like to hear from us:

**I would** like to receive communications by email.

If you change your mind about how we can contact you, please email **contact@ageuk.org.uk** or call **0800 169 8787**. For further details on how your data is used and stored by the Age UK network go to **www.ageuk.org.uk/help/privacy-policy**.

## Your gift

I would like to make a gift of £:

I enclose a cheque/postal order made payable to Age UK, **or**

I wish to make payment by (please tick):

MasterCard  Visa  CAF CharityCard  Maestro

Card number  Expiry date

Signature

**Gift Aid declaration**  Yes, I want Age UK and its partner organisations\* to treat all donations I have made for the four years prior to this year, and all donations I make from the date of this declaration until I notify you otherwise, as Gift Aid donations. I am a UK tax payer and understand that if I pay less income tax and/or capital gains tax than the amount of Gift Aid claimed on all my donations in that tax year it is my responsibility to pay any difference. Today's date

\* Age Cymru, Age Scotland and Age NI. **Please ensure you provide your full name and address**, and let us know if you wish to cancel your declaration, or if your tax status, name or address changes.

**Age UK provides a range of services and your gift will go wherever the need is the greatest.**

# Help us be there for someone else

We hope you found this guide helpful. When times are tough, it's so important to get some support. Did you know you could help us reach someone else who needs a little help? Here's how:

1

## Give your views on guides like this

Our Readers' Panel helps make sure the information we produce is right for older people and their families. We'd love you to join. Go to [www.ageuk.org.uk/readers-panel](http://www.ageuk.org.uk/readers-panel).

2

## Donate to us

Every donation we receive helps us be there for someone when they need us. To make a donation, call us on **0800 169 8787** or go to [www.ageuk.org.uk/donate](http://www.ageuk.org.uk/donate).

3

## Volunteer with us

Our volunteers make an incredible difference to people's lives. Get involved by contacting your local Age UK or at [www.ageuk.org.uk/volunteer](http://www.ageuk.org.uk/volunteer).

4

## Campaign with us

We campaign to make life better for older people, and rely on the help of our strong network of campaigners. Add your voice to our latest campaigns at [www.ageuk.org.uk/campaigns](http://www.ageuk.org.uk/campaigns).

5

## Remember us in your will

A gift to Age UK in your will is a very special way of helping older people get expert support in the years to come. Find out more by calling **020 3033 1421** or visit [www.ageuk.org.uk/legacy](http://www.ageuk.org.uk/legacy).

## What should I do now?

You may want to read some of our relevant information guides and factsheets, such as:

- **When someone dies**
- **Bereavement**

You can order any of our guides or factsheets by giving our Advice Line a ring for free on **0800 169 65 65** (8am-7pm, 365 days a year).

Our friendly advisers are there to help answer any questions.

All of our publications are available in large print and audio formats.

There's plenty of really useful information on our website, too. Visit [www.ageuk.org.uk/legal-issues](http://www.ageuk.org.uk/legal-issues) to get started.

If contact details for your local Age UK are not in the below box, call Age UK Advice free on **0800 169 65 65**.



**0800 169 65 65**  
**[www.ageuk.org.uk](http://www.ageuk.org.uk)**



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