

- + Business Advisers
- + Tax Specialists
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## Probate and Estate Administration during Coronavirus

The Coronavirus pandemic has presented families and friends with a multitude of challenges as we all try to adjust to a new way of living.

While the government has relaxed many rules and regulations, the restrictions in place do not alleviate the burden placed on executors to administer a deceased's estate on a timely and proper basis.

M+A Partners offers a range of estate and succession planning services to help alleviate some of the obligations and worries at what is a very difficult and upsetting time for our clients, their families and friends. This factsheet is intended to provide current guidance on the processes of registering a death and applying for probate.

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### Registering the death

- + Registrars have had to relax the requirement for a death to be registered in person, and this can now be done by telephone;
- + The list of people who can register a death now includes funeral directors acting on behalf of the family or representative of the deceased; and
- + The deceased's personal details, such as, full names, marital status, occupation and previous address will be required when registering the death, as before.

The registrar will then issue an electronic certificate for burial or cremation, which is sent to the funeral director. It will also be possible to apply online to obtain death certificates at this point but note that some registrars are limiting the number of certificates issued and if additional copies are needed, a separate application is required.

## 'Tell Us Once' service and other notifications

The 'Tell Us Once' service enables a death to be reported to most government organisations in one go. When you register the death, the registrar will:

- + Let you know if the service is available in your area;
- + Give you the phone number for the service; and
- + Issue you a unique reference number to use the 'Tell us Once' service online or by phone.

This service is provided by the government to reduce the number of separate death notifications required to government departments, regarding benefit payments, blue badge, passport, driving licence, council tax etc. Please note that the service must be used within 84 days of death or separate notifications will be required.

Further details on this service please visit:

<https://www.gov.uk/after-a-death/organisations-you-need-to-contact-and-tell-us-once/>

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## Arranging the funeral

Unfortunately, most institutions are no longer conducting funerals or memorial services, however it may be possible to arrange for a short service at the graveside or crematorium. While most funeral homes remain open, the social restrictions mean that all arrangements must take place by email and telephone.

The funeral service itself will be limited to close family members and there are restrictions as to the number of people entitled to attend, and social distancing rules are strictly applied. Some families are using technology to allow others to join remotely.

Although memorial services or wakes will have to take place after the restrictions are relaxed, as these costs and the funeral expenses are tax-deductible for inheritance tax purposes, it is important to keep all receipts and invoices.

This guidance remains under review and may be updated in line with the changing situation.

Please see here for the most up to date government guidelines:

<https://www.gov.uk/government/publications/covid-19-guidance-for-managing-a-funeral-during-the-coronavirus-pandemic/covid-19-guidance-for-managing-a-funeral-during-the-coronavirus-pandemic/>

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## Applying for probate

The executors nominated by a Will are legally obliged to deal with the administration of the estate, unless they choose to formally step aside. The role of executor is an onerous one, and the executor is personally liable for their actions or inaction. For those without any previous experience of these matters, or where there are some complexities or contentious issues, it is advisable to seek professional advice and support to ensure there is a complete understanding of the tasks involved, and the timeframe in which they need to be completed.

The executors are required to:

- + Identify the assets and liabilities of the deceased;
- + Gather those assets in,
- + Discharge any debts; and
- + Distribute any specific assets and the remainder of the estate in accordance with the Will.

Where there is no Will, or where the Will is invalid, statutory rules govern who will inherit.

**M+A Partners** can confirm the validity of a Will, as well as ascertain who would inherit under the intestacy rules. We can also identify the beneficiaries and calculate their entitlements from the estate.

Valuing assets can be tricky under present restrictions, as most institutions require sight of the original certified copy of the death certificate before releasing the information. The valuation of immovable property will also prove difficult while social distancing measures are in place, but an estimated value can be provided on the inheritance tax return, with a note to confirm that a formal valuation will be submitted once the valuer can physically access the property.

The deceased's personal tax affairs should be reviewed and completed to date of death to calculate any outstanding liability. As the information may not be readily available, or there may simply not be enough time to deal with this aspect, estimates may have to be included and a corrective account submitted where circumstances allow.

Although the requirements as to who must sign the Inheritance Tax Return have been relaxed, the deadline for paying Inheritance Tax has not.

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## Submitting and paying inheritance tax

- + Inheritance tax due on an estate must be submitted and paid by the end of the sixth month after the date of death;
- + Depending on the nature of the assets in the estate, it may be possible to pay the tax by instalments; and
- + HM Revenue and Customs (HMRC) will charge interest on any unpaid tax after the six month period has elapsed.

Having ascertained the value of the estate and submitted the inheritance tax return, the executors then apply for grant of representation (either probate or letters of administration). The grant is the authority for the executors to distribute the deceased's assets among the beneficiaries. The application for the grant can be made online once the inheritance tax forms have been completed and submitted by **M+A Partners**.

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## How M+A Partners can help

Dealing with the estate of a family member or friend is always difficult and it is even more so with the current restrictions in place.

Our experienced team of tax specialists offer a professional full probate and estate administration service and are fully licensed and accredited to obtain probate on your behalf. We have three licensed probate practitioners within the team as well as qualified members of the Society of Trust and Estate Practitioners (STEP), ensuring the most relevant and accurate advice on estate planning, inheritance tax and succession issues.

Services include:

- + Compiling details of the deceased's assets and liabilities;
- + Obtaining professional valuations;
- + Completing the inheritance tax (IHT) accounts and forms;
- + Claiming appropriate IHT reliefs and exemptions, calculating the IHT payable and arranging for the payment of inheritance tax;

- + Preparing the probate application form (PA1P);
- + Applying for and obtaining the grant of probate;
- + Gathering in or selling the assets of the estate;
- + Settling the debts of the deceased;
- + Reviewing potential tax savings through a variation of the Will within two years of the date of the death;
- + Dealing with income and capital gains tax liabilities of the estate;
- + Paying legacies and distributing assets to the beneficiaries; and
- + Preparing final estate accounts.

Unlike many other firms, we do not charge a 'responsibility fee' or 'value element' where the fee may be linked to the value of the estate. The basis of our fees is agreed with the executors at the outset and are dependent on the scope of our involvement and an evaluation of the time we will actually incur. We are able to provide a likely estimate of our costs and keep you updated as the matter progresses.

**Further details of the Probate and Estate Administration services offered by M+A Partners please visit:**  
[www.mapartners.co.uk/services/trusts-and-estate-planning/](http://www.mapartners.co.uk/services/trusts-and-estate-planning/)



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