

Charlton
Baker

Probate

A guide to our services

Updated - March 2023



South West
**LARGER SMALL
BUSINESS OF THE YEAR
WINNER**

Charlton Baker Ltd

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What is probate?

Probate is the legal process of dealing with the property, money and possessions, known as the 'estate', of someone who has died.

When is probate needed?

Depending on the value of the estate and nature of ownership, a grant of probate is normally required, however there are some exceptions-

- Where the deceased person owned assets in joint names, which pass automatically via survivorship (except where a property is owned as '*tenants in common*').
- Assets are held in trust.
- The total value of the estate is less than £5,000. It is worth noting that certain banks will release monies without a grant of probate based on their own threshold which can be up to £50,000.



Why do accountants do probate?

We are well-versed in financial matters and looking at things subjectively

We can identify and assist with valuing assets & paying debts

Qualified in all taxes with lots of experience

We can advise on Inheritance Tax and calculate the taxes

File income tax returns and deal with all tax administration

We're your expert blend of accountancy and legal services

#accountancyredefined



Charlton
Baker



How it works.

If there is a will in place, a vital part of the probate process is locating it, so that the **Executors of the estate and the wishes of the deceased are known**. If you've written your will with us, that part is easy!

The next step is to apply for the **grant of probate**. This process requires obtaining up-to-date valuations of all the assets held in the estate, completion of inheritance tax forms, and preparing a legal statement for the probate registry.

Once probate has been granted, estate accounts will be required detailing all the receipts and outgoing payments during the final administration period, so that the **final distributions can be made to the Beneficiaries**.

If there is no will in place, the rules of intestacy must be followed, which can be a lengthy process and requires Letters of Administration, rather than a grant of probate.

How much will it cost?

Tailored for you, we offer a fixed fee service depending on the level of assistance you require, and complexity of the estate.

Simply Probate.

For small, non-taxable estates and where all pre-application administration (e.g. valuations, notifying banks, cancelling or transferring contracts) has been dealt with by you, and you simply want us to apply for probate, our fixed fee is £895 plus VAT.

Together Probate.

With your involvement, and our help and assistance with estate administration when needed, our fixed fees range up to £7,500 plus VAT.

How much will it cost?

If your probate case is significantly more complex, and you will be involved in estate administration, or you require complete support throughout, our fees will be based on the following service plans:

Together Probate+.

Working together on more complex cases, we will share our value based on time spent using up to date hourly rates. Please contact us to find out more.

Complete Probate.

For complex cases completely managed by us from start to finish, the value of our fees will be based on time spent using up to date hourly rates.

What disbursements might there be?

- **Probate Registry Fee**
£5,000 **£273.00 for all estates under**
- **Additional copies of the grant** **£1.50 each**
- **Section 27 Notice (protection against unknown creditors)** **circa £200 plus VAT**
- **Will search (if desired)** **Costs from £45**
- **Land Registry searches** **£3 per property**
- **Postage** **Varies from £4**

What other costs could there be?

- Valuation fees for properties and contents
- Insurance for properties
- Clearance costs
- Professional fees for finalising personal income tax affairs
- Professional fees for future planning and structuring project work
- Conveyancing fees for transferring or selling properties, as well as potential estate agent fees

How long will it take?

This will depend on the level of complexity of the estate and the availability of the required records and information.

Our timescales are very much dependant on third party timescales, such as banks, and the Probate Registry.

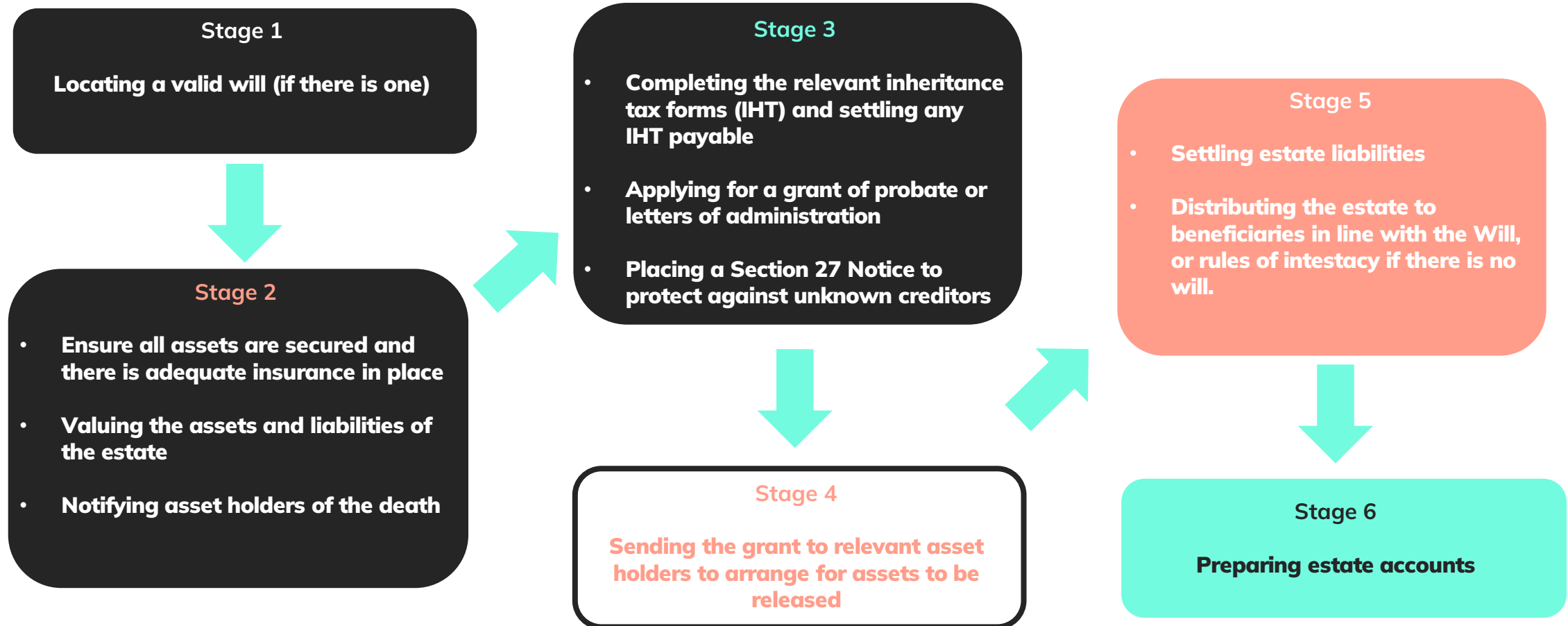
As a guide, you can expect the following likely timescales:

**Simply Probate & Together Probate.
Four to six months.**

**Together Probate + Complete Probate.
Six to twelve months +**



What are the stages of probate?



Our Legal Services Team



Jenna Hann CTA TEP ATT (Fellow) MAAT

Director & Head of Legal Services

Authentic. Fact-Minded. Pragmatic.

Jenna is our 'expert blend' personified. Her unique and specialist skillset allows her to advise clients on complex personal tax issues, whilst also delivering inheritance tax wealth planning, trust and estate advisory, all the while being our resident Will and Lasting Powers of Attorney writer and probate service expert.



Jo Blackburn ATT

Tax Manager & Probate Practitioner

Loyal. Considerate. Positive.

Jo has recently qualified as a probate practitioner. Jo specialises in personal tax and can also advise on inheritance tax and estate advisory issues.



Steve Little FCA CTA

Director & Head of Corporate

Collaborative. Committed. Virtuous.

Steve is a director and specialises in corporate tax planning, company re-organisations, succession planning, and property tax matters, as well as being involved in the affairs of high-net-worth individuals. He is also qualified to deliver probate services.

Complaints Policy.

Charlton Baker Limited is committed to providing a high-quality probate service to all our clients. When something goes wrong, we need you to tell us about it. This will help us to maintain and improve our standards.

Our complaints procedure

If you have a concern or a complaint, please contact the person dealing with the assignment with the details. If we need to change any of the timescales set out below, we will let you know. If you cannot solve the issues with this person and wish to make a formal complaint, please address such complaint to the Head of Legal Practice.

What will happen next?

1. Within five days we will send you a letter acknowledging your complaint and asking you to confirm or explain the details. We may suggest that we meet to clarify any details.
2. We will then record your complaint in our central register and try to resolve the complaint.
3. If you are still not happy, we will refer the matter again to the Head of Legal Practice and open a file for your complaint and investigate. This may involve one or more of the following steps:

If we acted for you, we will consider your complaint again. We will then send you our detailed reply or invite you to a meeting to discuss the matter;

If your complaint relates to a person outside the firm, for example, an expert or barrister, we will ask them to give us their reply to your complaint. We will then examine their reply and the information in your complaint file. We may also speak to them;

We may ask another independent local solicitor to investigate your complaint and report to us;

We will then write inviting you to meet the Head of Legal Practice and discuss and hopefully resolve your complaint. We would aim to be in a position to be able to meet with you within 10 working days of first receiving your complaint. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, we will write to you setting out our views on the situation and any redress.

4. Within three working days of the meeting, we will write to you to confirm what took place and any solutions we have agreed with you. In appropriate cases we could offer an apology, a reduction of any bill or a repayment in relation to any payment received.

4. At this stage, if you are still not satisfied, please contact us again. We will then arrange to review our decision within the next 10 working days. This may happen in one of the following ways. We will review the decision ourselves; We will arrange for someone who is not connected with the complaint to review our decision; We will ask another local firm of solicitors to review your complaint. This may take longer than 10 working days in which case we will let you how long this process will take.
5. We will let you know the result of the review within five working days of the end of the review. At this time, we will write to you confirming our final position on your complaint and explaining our reasons. If you are still not satisfied, you can contact the ICAEW or the Legal Ombudsman about your complaint, but we very much hope that this will not be necessary.
1. The Legal Ombudsman to whom complaints can be addresses can be contacted as follows: Address: The Legal Ombudsman, PO Box 15870, Birmingham B30 9EB Website: www.legalombudsman.org.uk Email: enquiries@legalombudsman.org.uk Phone: 0300 555 0333. Normally you will need to bring a complaint to the Legal Ombudsman within 6 months of us writing to you with the firm's final response about your complaint.
4. The ICAEW can be contacted using the following link- <https://www.icaew.com/regulation/complaints-process/make-a-complaint>
5. Compensation Scheme In addition, in the unlikely event that we cannot meet our liabilities to you, you may be able to seek a grant from ICAEW's Probate Compensation Scheme. Generally, applications for a grant must be made to ICAEW within 12 months of the time you became aware, or reasonably ought to have become aware, of the loss. Further information about the scheme and the circumstances in which grants may be made is available on ICAEW's website: icaew.com/probate. Alternatively, you can contact your usual contact at Charlton Baker Limited, or the Head of Legal Practice.

Regulations.

The ICAEW is an approved regulator and licensing authority for probate services. This enables the ICAEW to accredit firms to offer probate services to their clients.

Charlton Baker Limited has been licensed to carry out probate services since 28 November 2018 and can be found on the ICAEW probate register using the firm number C007145299 –

<https://www.icaew.com/regulation/probate-services/information-for-consumers/icaew-probate-register>

To view the ICAEW's regulations –

<https://www.icaew.com/regulation>

At Charlton Baker we strongly believe that a diverse workplace can bring different perspectives, ideas and experiences, which can help to create a more innovative and productive work environment, leading to more creative solutions.

For the team, it creates a sense of inclusion and belonging.

For our clients, it allows us to better represent our client base and understand their needs.

2023 Diversity Survey

Age profile-

16-24	19%
25-34	22%
35-44	24%
45-54	24%
55-64	8%
65+	3%

Gender-

Female	62%
Male	35%
Prefer not say	3%

Position in the Firm-

Partner	10%
Manager	15%
Senior	27%
Training	19%
Support	7%
Other	5%
Prefer not to say	17%

Ethnicity-

White	95%
Asian	5%

Faith-

Christian	27%
Hindu	3%
Other	3%
No Religion	67%

Sexual Orientation-

Heterosexual	97%
Other	3%

2023 Diversity Survey

Were you part of the first generation of your family to attend university?

Yes	16%
No	11%
Did not attend	70%
Prefer not to say	3%

What school did you attend?

State school non-selective	73%
State school selective	8%
Non-UK school	8%
Independent fee-paying school	8%
I don't know	3%

What is the highest level of qualification by either of your parents or guardian?

At least one has a degree	16%
At least one has A Levels	43%
Qualifications below A Level	11%
I don't know	19%
Prefer not to say	11%

What is your highest level of qualification, excluding accounting qualification-

Degree	35%
A Level	38%
Below A Level	16%
No formal	5%
I don't know/other	6%

Are you a primary-carer for a child or children under 18?

Yes	30%
No	70%

Do you look after someone with physical/mental health, disability or problems related to old age?

No	73%
Yes, 1-19 hours per week	21%
Yes, 50+ hours per week	3%
Prefer not to say	3%

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