

Unlocking your life-admin

There's nothing quite like a lockdown to focus the mind on the life-admin that usually sits in the "too difficult" or "not enough time" pile.

With this in mind, our private client team are here to help and are offering a review of your life-admin.

1

Wills

The first thing to say is, there is no such thing as a simple Will but we will make the process as easy as possible for you.

If you die without a Will, there are statutory rules (the intestacy rules) that determine who receives your estate and how much of it. Sometimes the outcome of the intestacy rules are not detrimental but this isn't always the case and therefore, having a Will makes sure that the right person receives the right amount at the right time.

A carefully prepared Will can be both tax-efficient and protective so as to ensure that your beneficiaries receive their inheritance regardless of their personal circumstances at the time.

2

Lasting Powers of Attorney

These are a bit like an insurance policy. It isn't just what happens on death that you should be thinking about. What happens if you are unable to manage your own affairs, either permanently or in the shorter term? No person will have legal authority to manage your affairs if you are unable to do so for yourself – this might be in older age due to dementia but things also happen to younger people that can have a negative impact on their ability to manage their own finances, such as a car accident or an operation that goes wrong.

3

Home Protection Plans

For many people, their most valuable asset is their family home and they want to preserve this for their children and grandchildren. A fly in the ointment can be care home fees and the concern that the family might have to sell to pay for them. It's possible, in the right circumstances, to make a gift of a property to a trust that allows continued occupation but preserves the property against care fees. This isn't for everyone but we can advise accordingly.

4

Inheritance Tax Planning & Lifetime Trusts

Inheritance tax is charged when someone dies and the value of their estate exceeds the available tax free allowances. The nil rate band is £325,000 and the residence nil rate band is £175,000 meaning that for most people, they have a tax free allowance of up to £500,000. Where an estate exceeds the allowances, IHT is charged at the rate of 40%. We can work with you to mitigate your estate's exposure to IHT on death and this often involves putting in place trusts to use allowances during lifetime.

5**Probate, Estate & Trust Administration**

The death of a loved one is difficult enough without having to navigate the Probate process. The team can assist with applications for Probate and dealing with the administration of the estate including any HMRC reporting that is required.

We have the experience to manage the administration of new and existing trusts and deal with the preparation of annual accounts and tax returns.

6**Will & Trust Disputes**

As they say, “where there is a Will, there is a relative!” We have an experienced team at Gateley that deals with disputes arising following a death or where issues arise with trusts already in existence.

7**Pension Nominations**

Pensions are often one of our most valuable assets when we die and it is outside the IHT regime, so can pass free of tax. They are very flexible and with the right advice, can be passed to your family in a very tax efficient and flexible way. We have devised a flexible pension nominations letter that is accepted by all pension administrators and which can set out how benefits should be paid.

8**Death in Service benefits**

Again, another valuable asset that often gets ignored! At the very least, you should make sure that your nomination letter is up to date. Depending on the other assets in your estate, it can be worth writing these benefits into trust for maximum tax planning and protection for family members.

9**Deputyship & Court of Protection**

If someone loses capacity and they don't have an LPA in place, an application for a Deputyship might be needed so that a third party can manage the person's finances and affairs. Applications can also be needed to put in place a statutory Will, for example, or to deal with other matters that arise.

10**Family – prenups, living together agreements, divorce, child arrangements**

We can't really do justice here to what our family team covers ... but it's all of the above and a bit more.