



The use of probate and estate administration services

Legal Services Board

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Executive summary

The report looks at why some people use paid for probate and estate management services and others do not. It highlights the circumstances in which services are used, who is most likely to use them and the experience that they have. It also discusses the experience of 'do it yourself' probate administrators and the challenges they face in dealing with the estate.

Who uses paid for services?

The research reveals that just over half of respondents use paid for probate services at some stage in the process. In nearly one in five of all cases researched the deceased had purchased a package of services before they died.

There are differences according to gender, size of the estate and its complexity:

- Women are more likely than men to use paid services: 56 per cent compared with 52 per cent of men.
- The higher the value of the estate the greater the use of services. For estates valued at up to and including £325,000 49 per cent use paid services but for estates valued at over £650,000 the figure increases to nearly 75 per cent.
- People dealing with a more complex estate where there are inheritance tax issues or the involvement of Family Trusts are more likely to use paid services.

What types of services are used?

The type of service used varies according to whether use was pre-arranged by the deceased or commissioned by the person dealing with the estate.

- In three quarters of cases where the service use was pre-arranged by the deceased the provider took care of everything.
- In just over half the cases where the person dealing with the matter commissioned the service the provider took care of everything.
- In over one third of services whose purchase was not pre-arranged the provider arranged for a grant of probate but left the administration of the estate to the respondent.
- Services were provided on an 'as and when' basis in about one in 10 cases where the service was commissioned by the person dealing with the estate and one in 16 cases where the service use was pre-arranged by the deceased.

Satisfaction with services

The majority of service users are satisfied with their service provider. The survey shows that, in the main, service providers act professionally and give clear and understandable explanations.

- Executors are more likely to be satisfied than beneficiaries on each measure of service delivery.
- However, overall, one in seven consumers using a service provider are dissatisfied with the service they receive but only a small number go on to make a complaint. The main reason for dissatisfaction is perceived delays.
- Face to face service delivery is rated the highest while delivery by email gets lower levels of satisfaction.
- Satisfaction with services provided by a solicitor is higher than those provided by non-solicitors, with solicitors mainly delivering services face-to-face

The cost of using a service provider

Costs are calculated in a number of ways: fixed cost; hourly rate based on the work done; and percentage of the estate value. For those with a fixed price the cost, on average, was £1,200. For those on hourly rates the cost was £1,800 and those who paid for services using a combination of fixed and hourly rates paid, on average, £2,500.

- For most people the cost they were charged was what they expected. However, over one in four people said the costs were higher than expected.
- Although there is some frustration with how costs are broken down overall people are satisfied with the explanations they receive.
- Over half (56 per cent) felt that the overall service they receive represented good value for money.

Doing it yourself

Just under half of respondents did not receive any paid support. In the majority of cases these people were the sole executor and the estate held no complicating factors such as inheritance tax or family trusts. The straightforward nature of the estate was stated by nearly three quarters of those who undertook the estate administration themselves as the reason for not commissioning professional support.

- There is a perception that the costs of probate services are high. Over one quarter cited high professional costs as a reason for doing it themselves but the majority giving this reason did not get a quote from a provider.
- Half of people not receiving professional support found the process easy with only one in 10 finding it difficult.
- Some people found sourcing the will and investigating the value of the estate the most challenging part of the process along with obtaining the grant of probate.
- Nearly nine in 10 would do it themselves again.

1 Introduction

1.1 Background and context

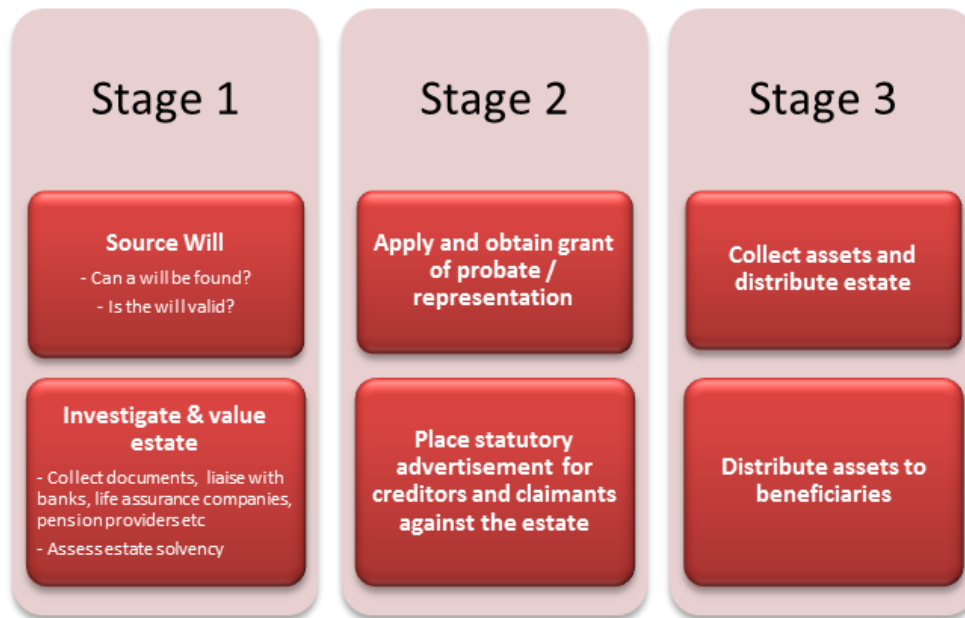
- 1.1.1 The Legal Services Board (LSB), the oversight regulator of lawyers, has been set up to reform and modernise the legal services market in the interests of consumers. The LSB's goals are to enhance quality, ensure value for money and improve access to justice across England and Wales. The introduction of the LSB through the Legal Services Act (2007) may result in a change to the way in which people consume legal services.
- 1.1.2 In the LSB's initial years, efforts are focused on the delivery of three particular reforms to the legal services market:
- **Improving consumer redress when things go wrong** – a new complaint-handling body was established, the Legal Ombudsman, to handle complaints from consumers who are not satisfied with the outcome of the complaint at the first-tier stage. This 'second-tier' function was previously undertaken by the approved regulators. The LSB also introduced a requirement on approved regulators to place a 'signposting' requirement on authorised persons and entities to signpost how to complain and of the right to complain to the Legal Ombudsman. In addition, in 2010 the LSB published guidance and outcomes for consumers on first-tier complaints handling. In early 2011 it commissioned research to measure consumer experience of first-tier complaints handling, the findings of which were published in June 2011.
 - **Alternative types of service providers will be allowed, to increase the potential for competition by opening up the market** – Alternative Business Structures will be created allowing non-lawyers to invest in the provision of legal services
 - **The changing way that legal service providers are regulated changed** – the establishment of the oversight regulator the LSB to ensure regulation is independent of legal services professional bodies.

- 1.1.3 Reforms such as these will have a number of complex impacts on the market that are difficult to predict at the outset. In evaluating the reforms the LSB will need to obtain data about the way legal services are provided, how consumers respond to legal services and the consumer experience.
- 1.1.4 Following the Legal Services Consumer Panel's (2011) report on will-writing¹, the LSB took a decision to start a formal investigation into whether greater protections were needed for consumers in this area. The investigation also extended to the often interrelated activities of estate administration and probate. As such, this report collated data on consumer experience and provision of probate and estate administration, enabling the LSB to collect more evidence on whether consumers of these services were protected, while providing data for the evaluation of the LSB.
- 1.1.5 This research aimed to explore the experiences of individuals who have been through the process of probate and estate administration in the last three years. Identifying what type of professional support they received, the process they went through and areas of satisfaction and dissatisfaction with the service received.
- 1.1.6 The process of probate and estate administration is undertaken after someone dies. If the deceased has left a will the named 'executor', or 'administrator' (if the person has not left a will), must see that the estate of the deceased is secure, assess its value and pay any inheritance tax. They also need to gather all the assets, pay any debts and then distribute what is left in line with the will. This is called the 'administration of the estate.' In many cases, authorisation by the Probate Service is required to allow executors and administrators to deal with the estate. This is known as "the grant of probate." Often someone professional such as a solicitor is hired to undertake all or part of the process of applying for grant of probate and administering the estate on behalf of the executor/ administrator. The process that this research focussed on is outlined in figure 1.

1

http://www.legalservicesconsumerpanel.org.uk/publications/research_and_reports/documents/ConsumerPanel_WillwritingReport_Final.pdf

Figure 1: Stages of the probate and estate administration process



1.2 Method

- 1.2.1 On behalf of the Legal Services Board, YouGov undertook an online survey of people who had used probate and estate management services or gone through the process within the last three years. The sample was drawn from the YouGov panel of 350,000 adults across the UK.
- 1.2.2 The fieldwork was undertaken with 2,001 adults between the 5th and the 12th of December 2011 and the data has been weighted to be representative of people who have been named as an executor in a will, become an administrator or been named a beneficiary for the assets of someone who has died in the last three years, according to a pre-screening.
- 1.2.3 Following the online survey, to further explore the views of respondents, 25 telephone depth interviews were undertaken with people who had experienced probate and estate administration in the past three years.
- 1.2.4 The interviews were undertaken with a combination of respondents where a will could be found, a will could not be found, executors, beneficiaries and those who received professional support and those who did not.

- 1.2.5 The depth interviews were undertaken between 15th of December 2011 and Jan 6th 2012. All interviews were recorded and fully transcribed to support the data analysis.

1.3 Report structure

- 1.3.1 The report is divided into six sections. The first section focusses on the 54 per cent of people who used paid for services and the second looks at those who did not use paid for service. The sections following re-focus on those who used paid professional support and look at the reasons for choosing a provider, the level of service received, how the service was delivered, costs and satisfaction. Finally, the report details overall opinions on probate.

2 Use of paid for probate and estate administration services

2.1 Introduction

2.1.1 This section provides an analysis of the probate services paid for. It looks into what services are commissioned and from whom, how the choice was made and the stage at which paid services were used. This section provides the grounding for the analysis of service levels and costs which follow in subsequent sections.

2.2 Who uses services and who does not?

2.2.1 Overall 54 per cent of respondents used professional probate services at some stage in the process. The use of paid for service providers differs significantly by whether the deceased had a will or died intestate. The table shows that consumers are much more likely to use professional probate services where a will already exists (half where a will exists compared with one third where there is not one).

Table 1: Situation of Will

	A will exists	Deceased was intestate
Used a paid for service provider	55%	35%
Did not use a paid for service provider	45%	65%

2.2.2 At first glance it might seem odd that people who might arguably need professional help because the deceased died intestate are less likely to use it. An explanation, however, for these figures may be that in one third of cases where a will exists the deceased had already arranged for a professional to undertake the process before they died. Most respondents dealing with an estate where the deceased died intestate found it to be reasonably straightforward hence the lack of need to engage a professional although price was also a barrier for about a third of these people (see later for further discussion).

2.2.3 The value of the estate is also an important factor in whether paid services are sought: the higher the value the more likely respondents are to use a paid service. Where an estate is valued at up to £325,000 almost half of people (49 per cent) pay for a

professional. If the estate is valued between £325,001 to £650,000 69 per cent sought professional help. This figure increases to nearly three quarters where the estate is valued at over £650,000.

- 2.2.4 There is no relationship between the age of the respondent and whether or not they paid for professional services. There is, however, a difference by gender. Women are more likely to commission paid services than men (56 per cent compared to 52 per cent).
- 2.2.5 The majority of estates are not complex, but where there are complications people are more likely to pay for services, as shown in Table 2. Complicating factors include having to deal with inheritance tax, the involvement of a family trust and younger beneficiaries. One third of those who paid for professional services experienced two complications whereas only 14 per cent of those who did not commission professional services experienced two complications.

Table 2: The incidence of complicating factors by whether or not paid services were used

Complicating factor	Used paid services %	Did not use paid services %
Estate subject to inheritance tax	17	3
Family Trust/life interests involved	13	4
Beneficiaries aged under 18	7	5
Contested will	6	1
Children from previous relationship	3	1
Agricultural property	4	-
Deceased owned business or was a partner in a firm	4	1
Involved foreign properties	4	1
Insufficient estate to meet all legacies	3	-
Insolvent estate	2	-
No complicating factors	58	84

Base: Users of probate and estate administration services (n=1748)

2.3 What type of services are purchased?

2.3.1 It was shown earlier that just over half of respondents use professional probate services. In one third of these cases the deceased had made arrangements for professional help before they died which means that in two thirds of cases where help is sought the decision is made by the person dealing with the estate. Overall this means that 36 per cent of probate cases utilise paid services commissioned by the person dealing with estate, 18 per cent have pre-arranged paid services commissioned by the deceased and 46 per cent of cases do not use paid for services.

2.3.2 The type of service used differs according to whether the deceased had pre-arranged the services or whether it was the decision of the person dealing with the estate. As

Table 3 shows where the professional services are pre-arranged by the deceased the service provider is much more likely to take care of the whole process.

- 2.3.3 In three quarters of cases where the service is pre-arranged the service provider takes care of everything. This compares with just over half for those cases where services are purchased by the person dealing with the estate. About one third of people purchasing services do so to arrange the grant of probate with about 9 per cent of purchased relating to 'as and when needed' help and assistance with the probate forms.
- 2.3.4 The use of pre-arranged services is more likely in higher value estates. In over half (52 per cent) of estates valued at £650,001 or over a service provider was pre-arranged by the deceased.

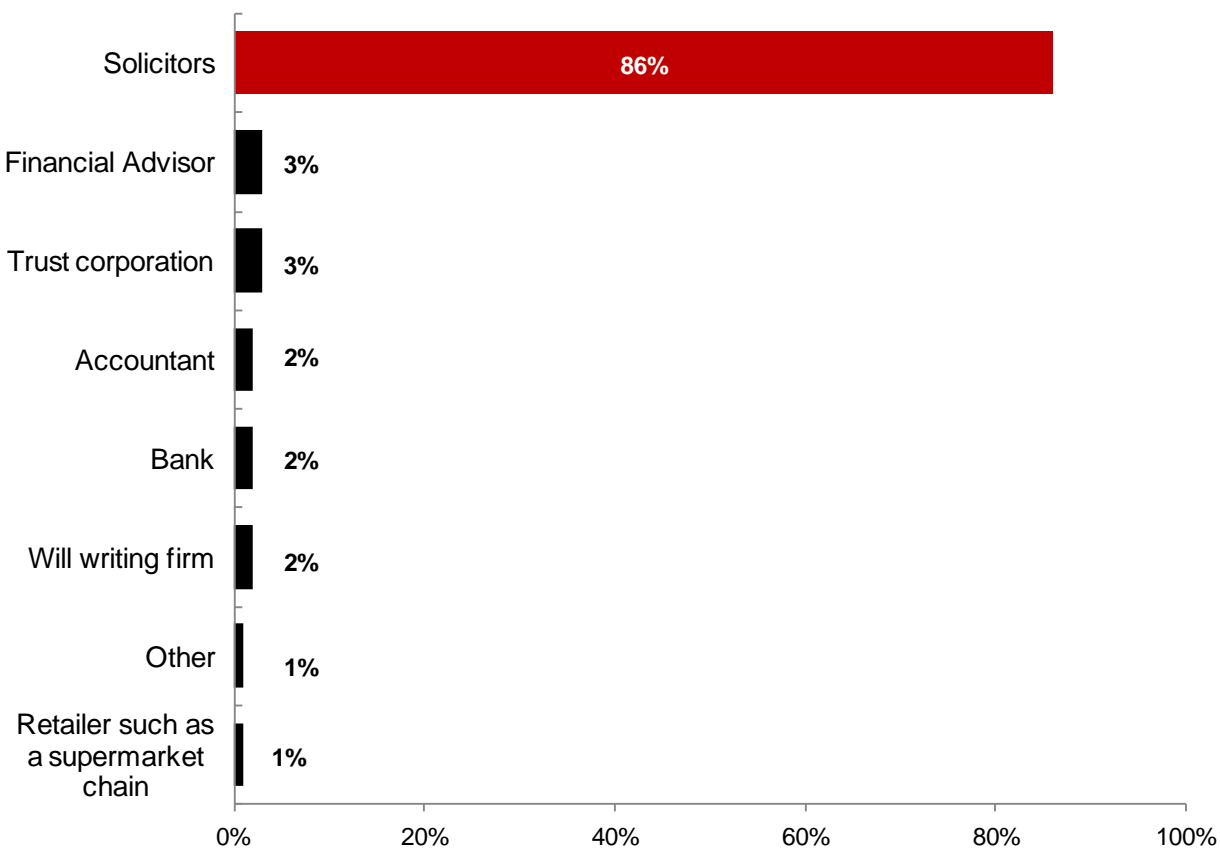
Table 3: The type of service received by whether or not use is pre-arranged by the deceased

	Pre-arranged by deceased	Commissioned by person dealing with estate	All
	%	%	%
Took care of everything	74	54	60
They arranged for grant of probate but left administration of the estate to the respondent	16	35	28
Gave help on an 'as and when needed' basis but respondent dealt with the probate and administration	6	9	8
Helped with probate forms but respondent went to probate office themselves	2	2	2
Base	294	595	889

2.4 From whom are services purchased

2.4.1 The overwhelming majority of services are provided by solicitors who have an 86 per cent share of the market. There are, however, some interesting variations by the level of service provided. Those who used professional help on an 'as and when needed' basis (but dealt with the forms and administration themselves) did not use solicitors as much as those who had everything taken care of or just used a professional to obtain a grant of probate.

Figure 2 : Type of service provider



Base: Users of professional services (n=899)

- 2.4.2 For the 'as and when needed' service users solicitors accounted for just over half (53 per cent) of services used. Accountants (13 per cent), Trust corporations and banks (10 per cent each) have a much more prominent role in delivering ad-hoc services than providing everything (1%, 3% and 2% respectively).
- 2.4.3 For most people the solicitor was the only service provider they used. Some, however, used more than one. Nearly one in five service users (16 per cent) used two or more service providers. The majority of these people used two service providers which tended to be a solicitor and an accountant or bank. While respondents may believe using a bank and solicitor is two providers, often banks have a sub-contracting relationship with solicitors, so it may in reality be one provider. People using service providers on an 'as and when needed' basis are more likely to use two or more service providers. Nearly one third (31 per cent) who used services on this basis used two or more service providers compared with only 12 per cent who paid for a service provider to do everything.
- 2.4.4 People who did not use a solicitor as their primary provider are more likely to use more than one service provider. If we divide service providers into two categories - solicitors and non-solicitors (such as accountants, banks, will writers) it can be seen that 43 per cent of those whose primary service was not a solicitor use more than one provider compared with only 12 per cent where the solicitor is the main provider.

2.5 Dying intestate

- 2.5.1 Twenty-one per cent reported that the deceased died in a situation that could be classed as intestate - that is, no will exists or a will exists but cannot be found (around 3 per cent of wills could not be located). Just 59 per cent of those where a will was not found or no will was made or the respondent did not know where it was (14 per cent overall) answered 'yes' when asked if the deceased died intestate, showing a lack of understanding. Just under half of those who said the deceased was intestate (47 per cent) seek professional advice from a solicitor while one third will search the internet for advice and guidance and about a quarter will seek advice from family and friends.

- 2.5.2 The survey suggests that the help and guidance that people receive at this stage is usually sufficient to enable them to administer the estate themselves as only 36 per cent go on to take paid services.

2.6 Why they used paid services?

- 2.6.1 The most common reason for opting for a professional paid service to deal with probate was the reassurance that it gives. This is shown in Figure 3 overleaf.

'I had no idea what minefield I was walking into, and actually that is the only reason I did it [went to a solicitor].'

'It's such unfamiliar territory, in general... no one has a clue as to what to do, it is really odd. So it's kind of reassuring to be in contact with one professional for whom it is routine.'

- 2.6.2 For many people it is an emotional time during which they have many other things to deal with already and do not wish for an added burden.

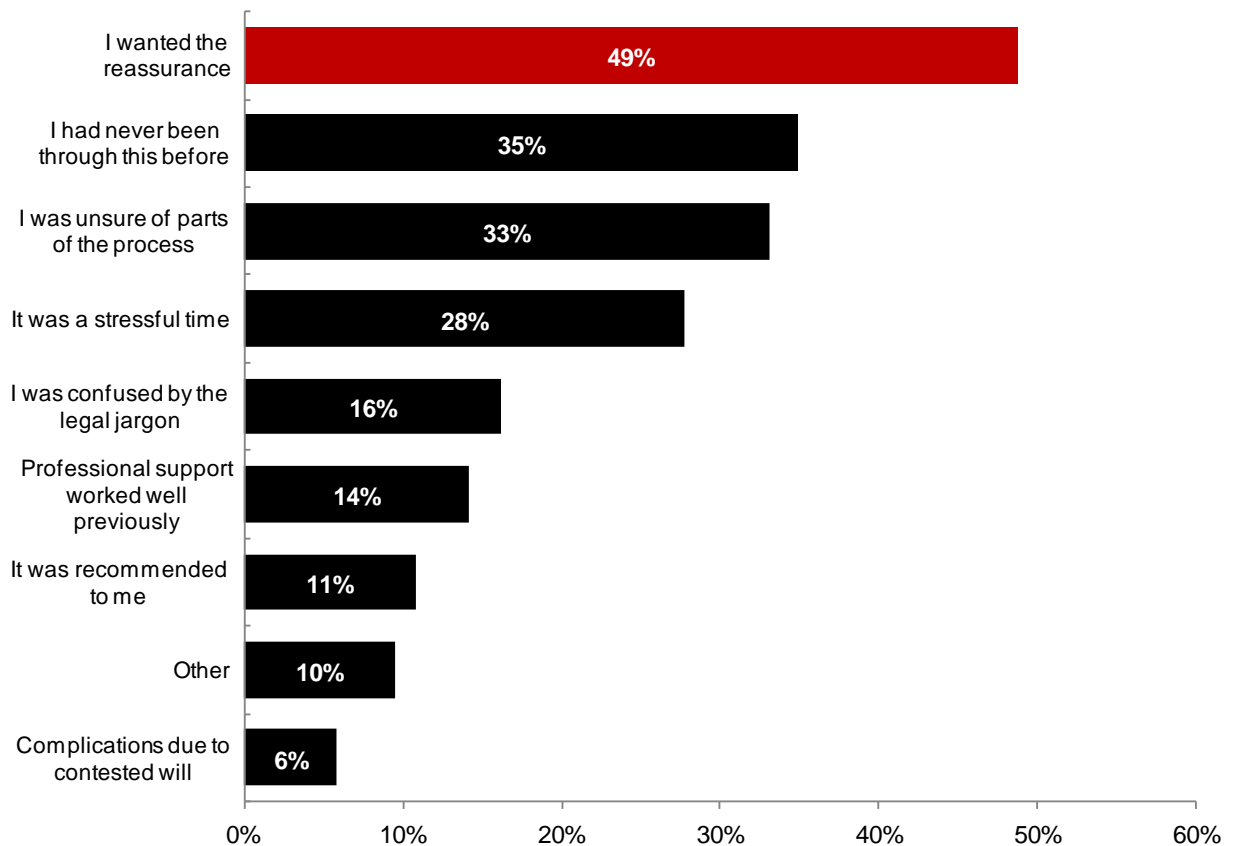
'...my dad did the will with the solicitor, so we just went there and it was just easier really, to go with the solicitor'

'There is so much to think about anyway, it's easier to leave this in professional hands.'

'I thought it would just make it easier. You know, I had a lot of things on my plate. There was only really me around and I wanted to do it all properly.'

- 2.6.3 Many respondents felt that they had limited knowledge of the probate process and with most never having done it before going to a service provider seemed like the obvious thing to do.

Figure 3 : Reasons for using paid for services



2.6.4 Although many respondents mentioned in the depth interviews about being highly educated hence viewing probate as something they should be able to deal with, they were worried about the jargon and the risk of making mistakes and it felt safer to leave it to a professional.

‘Although initially, I felt it ought to be something I could handle myself. In the end it was better to let them [the solicitor] just get on with it and be assured it was being done properly.’

2.6.5 The depth interviews also revealed a worry about the process even from those with a legal bent. Their experiences of seeing the process at close hand led them to conclude that it was best left with the professionals:

'I've sort of got a semi-legal background. I was fairly comfortable doing it [dealing with bank accounts and paperwork]. It was just that the issue of getting probate on both occasions was I guess- well yes, it was outside my knowledge. The solicitors were there and I just asked them if they would do it and they did'
'I had worked for about five years as a probate secretary and I was very familiar with the probate, you know, what you have to do [...] That's precisely why [I decided to go with a solicitor] because I knew the jumps you have to get over.'

2.6.6 Similarly, a number of people said that they had a good experience with a probate professional in the past and this led them to use paid for services. The theme that underlies these latter points is that the probate process is perceived by this group as difficult and confusing for the lay person.

2.6.7 A complicated will or estate is another reason mentioned for using paid services. A large estate that includes a property with a value above the inheritance tax threshold also tends to be left to service providers due to the perceived complexity and importance of not making any mistakes in this process.

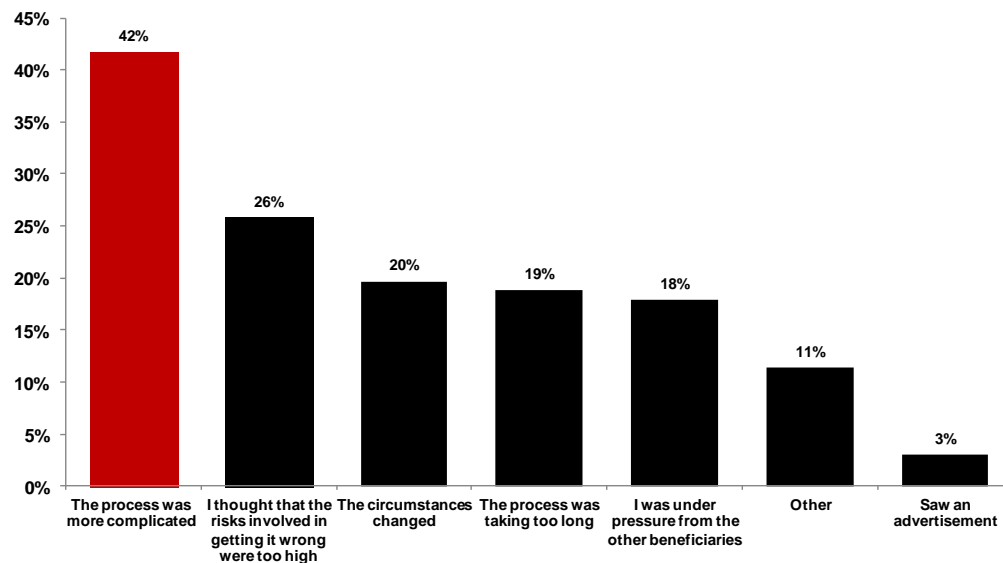
2.6.8 Troubled family histories and complicated relationships between beneficiaries is also often a reason to call in the help of an objective independent professional to ensure transparency during the process:

'I knew I was going to be a beneficiary, with my other sister, if there was no will [found], and that made me very, very determined to ensure that the process went through the fullest extent of the law, so we weren't going to be in a situation to be able to be accused of having done something wrong'

2.6.9 In most cases the use of paid services is either pre-arranged (33 per cent) or commissioned at the start of the probate process (58 per cent). Just under one in 10

people (eight per cent) commission a paid service part way through the process, one of the main reasons being that process had become more complicated than originally envisaged (42 per cent) and that the risks of getting it wrong had become too great (26 per cent), as shown in Figure 4.

Figure 4 : Reasons for commissioning paid services part way through the process



Base (n=64)

2.7 Reasons for choosing the service provider

2.7.1 The telephone depth interviews found that many respondents used a service provider they had used in the past. Often this is because it is felt that they have all the relevant information to hand and are considered to be the most suitable party to deal with the probate process.

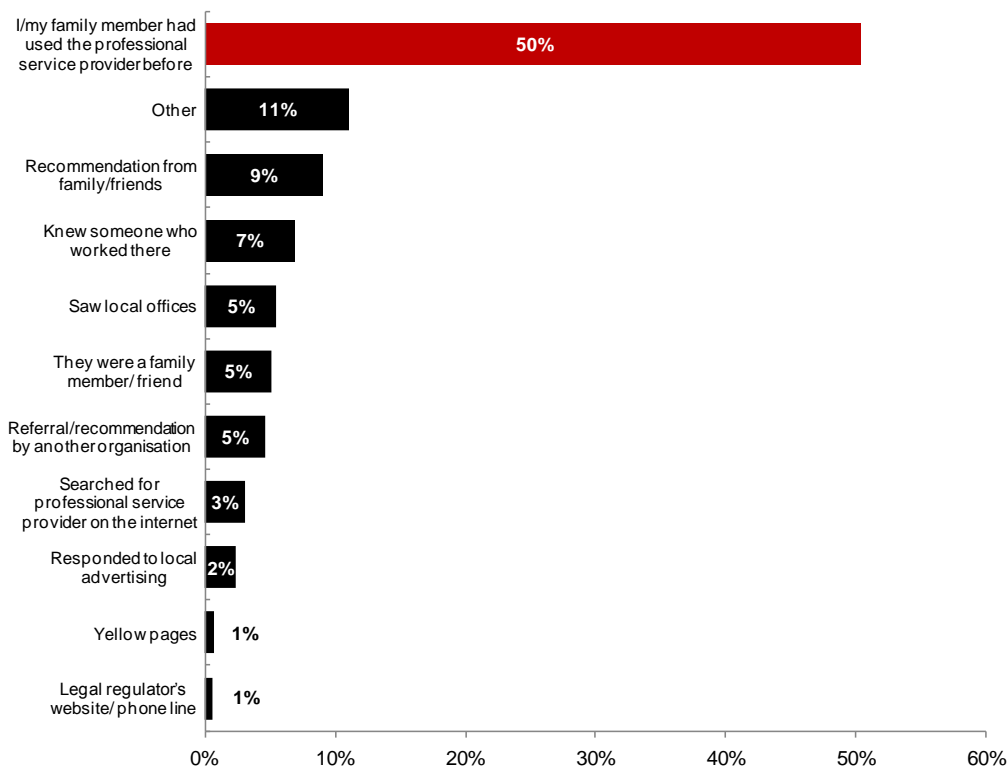
2.7.2 In many instances (as revealed from the depth interviews) this was also the family solicitor that the deceased and sometimes also the executor had known for a longer time so there was already a degree of trust.

'The solicitor at Farringdon who looked after my mother for many years, I'd known him too, probably for 30 years anyway. I just went in to see him and I said,

'Look, would you mind doing this? [...] if he'd been her solicitor for so long she obviously trusted him so I just went to him.'

'Dad had lived locally to them for 30 years. I knew his solicitors probably better than I know the people that are local to me. That was important.'

Figure 5 : How the choice of provider was made



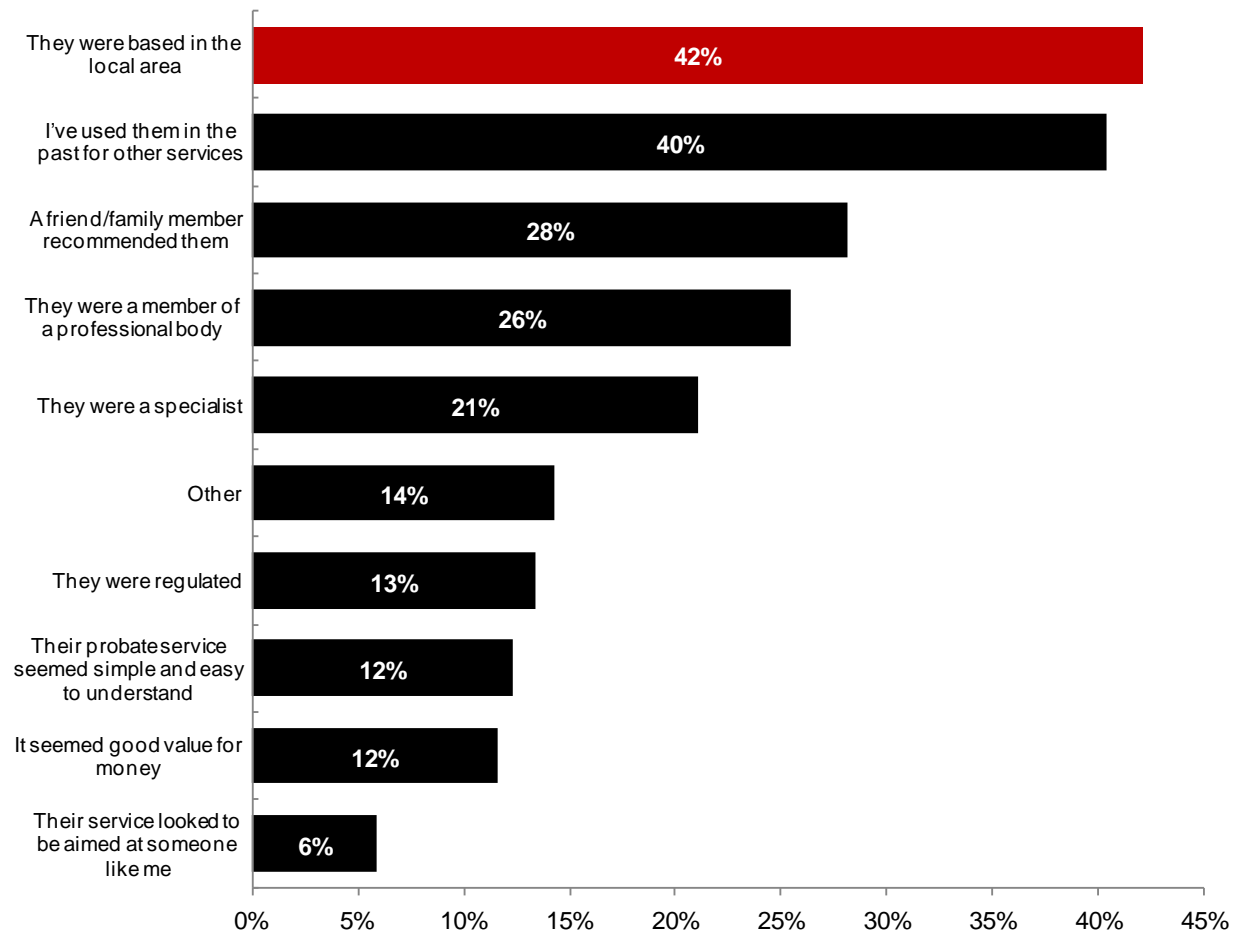
Base (n=593)

2.7.3 The depth interviews also found that if they did not have a family solicitor or service provider some made their choice on the basis of recommendations of family or friends. In some instances they received a preferential (flat) rate.

'We got given a fixed fee, which was good, and it was a discounted fee because we happened to be friends [...] Her normal fee was £1,500, but she said she reduced it to £950 for us.'

- 2.7.4 Some others had no choice but to use the solicitor that was named as a co-executor on the will or was outlined to be used by the deceased.
- 2.7.5 In other cases where a will had been made but could not be found, the interviews found that the next of kin tended to contact solicitors that the deceased or family members had used in the past in an attempt to track down the will. If they found the will they would go with the solicitor who had kept it. An example of this was when the sister of one of the interviewees suddenly died and a will could not be found. She eventually tracked down the solicitor who had the will but it had never been signed by her late sister. She then asked this solicitor to take on the probate.
- 2.7.6 Some interviews found that people went to the solicitor that had dealt with the sale of the deceased's property prior to their death (for example after removal to a nursing home).
- 2.7.7 What is very clear from the survey is that people tend not to shop around. Only 11 per cent of people who used paid for services compared different service providers. A further six per cent wanted to but did not know where to start. The sample size for those shopping around is too small to provide any statistical analysis but qualitatively we know that people are doing a number of things including asking providers for quotes, searching the internet and asking family and friends for recommendations.
- 2.7.8 Finally, in order to get some greater clarity on the reasons that people choose a service provider, respondents were asked to select up to three main reasons from a pre-defined list.
- 2.7.9 Being local and having used the service provider in the past are the two most common reasons for choosing the provider. Being recommended by family or friends, being members of a profession body and being specialists completes the top five reasons.

Figure 6 : Main reasons for choosing a service provider (top 10 only)



Base (n=595)

2.7.10 What is interesting is that cost does not appear to be one of the key drivers in people's choice of service provider. Value for money is important (12 per cent) but being cheap does not make the top 10 reasons and was only selected by two per cent of people. It seems that who they are, what they provide, where they are and personal recommendation are the key drivers behind people's choice.

2.8 The importance of regulation

2.8.1 The majority of consumers (84 per cent) believed they purchased services from a regulated provider. The depth interviews found that most respondents consider regulation to be very important as it gives something to fall back on, though only a minority of interviewees were actually certain that their firm was being regulated (it tended to be assumed).

'I'm sure she would've been [regulated]. It's a fairly prominent local firm. [...] You wouldn't want to be getting involved with a solicitor that isn't regulated on something as important as this.'

2.8.2 One respondent chose a more expensive service over that of a non-regulated service provider as he did not want to risk being sued at a later stage.

'Yes, we [thought] we'd better play safe and keep it all with the solicitors,' because we knew that they were long established, regulated and carried professional liability insurance.'

2.8.3 Some respondents struggled to think of the names of regulators, but the regulators most commonly mentioned were the Law Society and the Legal Ombudsman. Most respondents were not aware of regulators specific to the probate and estate administration sector.

2.8.4 A few respondents were quite wary of the notion of regulation, due to their experience with regulatory bodies in other contexts, but overall there was a positive attitude among respondents towards regulation.

'That's a good question asking a policeman something like that. I mean certainly in the security industry for the sake of example, there are all sorts of charlatans around. They do need regulating. There is now something called the SIA [...] I suppose you can call it a watchdog, one of these toothless tigers but at least it does actually register people now and make sure they're properly trained and qualified to do the job. I suppose it's the same with solicitors. There needs to be some sort of checks and curbs, don't there?'

3 The experience of those who go it alone

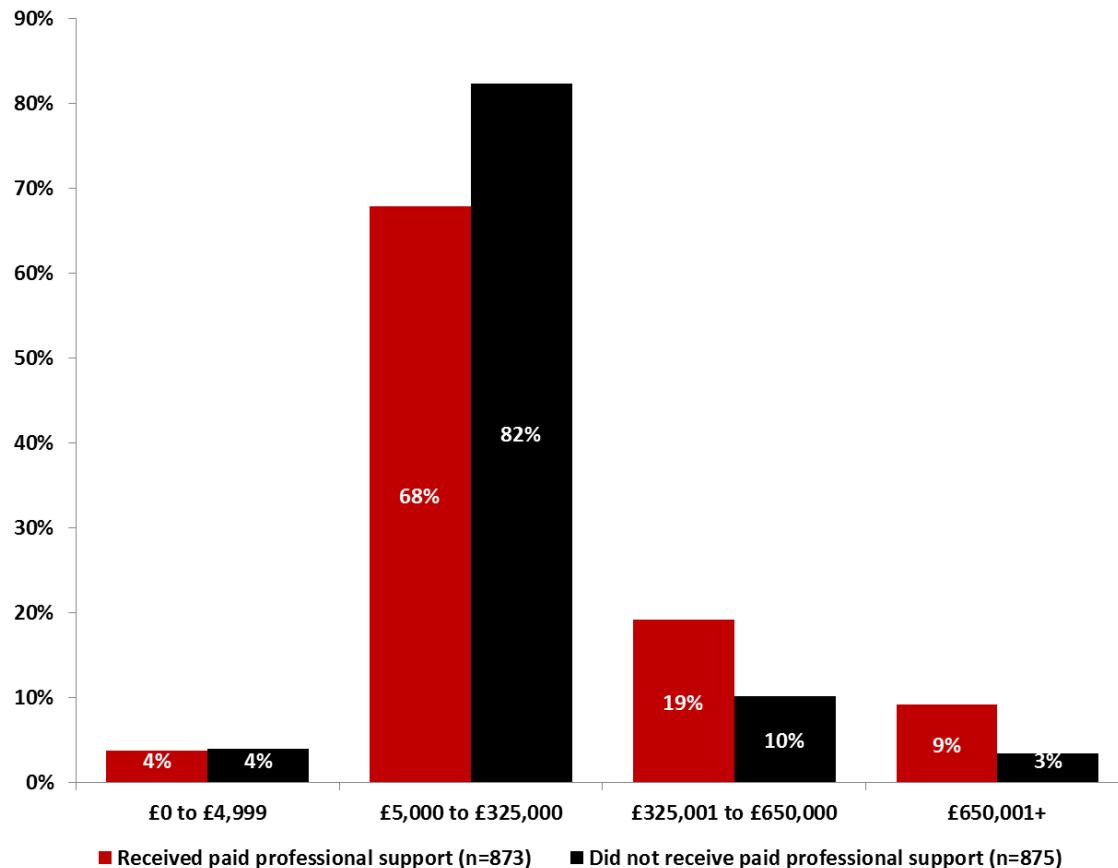
3.1 Introduction

- 3.1.1 In this section analysis is undertaken of those who administer the process themselves. The section looks at the reasons for taking on the administration themselves, the issues they faced and whether they would do it again.

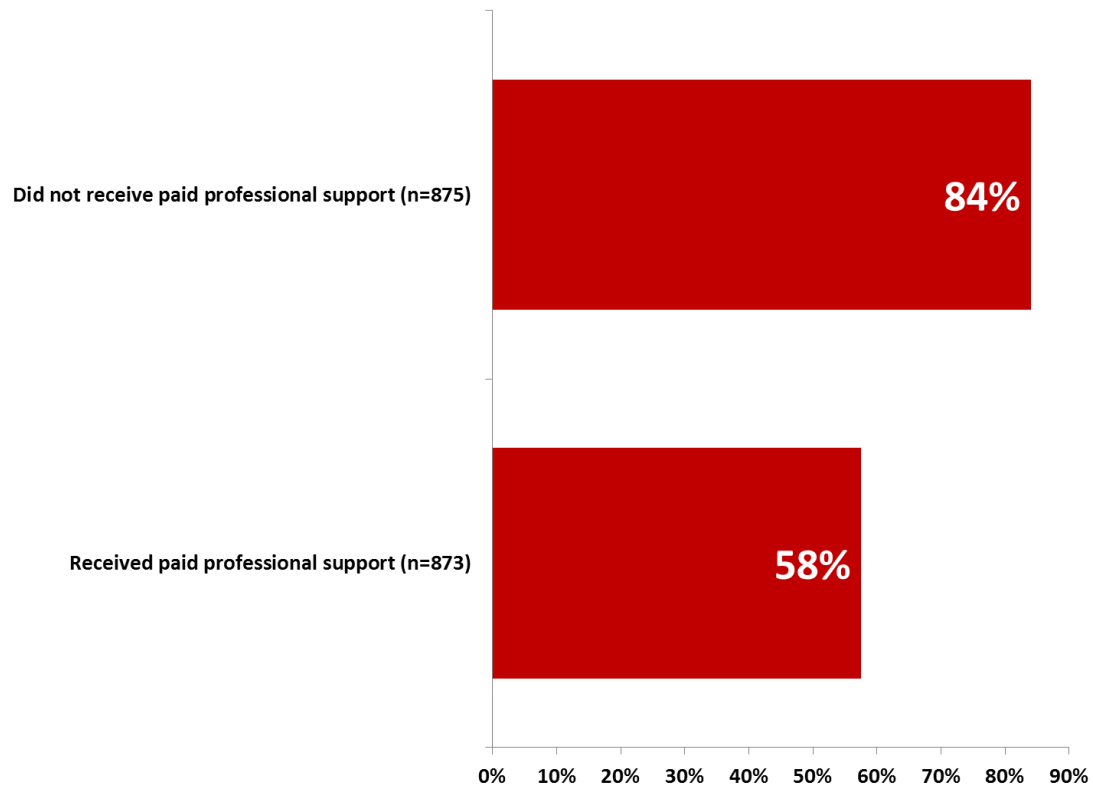
3.2 Who decides not to receive professional support?

- 3.2.1 When an individual enters the process of probate and estate administration a decision is made whether to seek professional support or to manage the process entirely themselves without any paid assistance (unless professional help is pre-arranged in will). Nearly half (46 per cent) of respondents reported that they did not receive any paid support in the process of obtaining a grant of probate or the administration of the estate.
- 3.2.2 Where a will had been made and was found, those individuals who decided not to seek professional support were significantly more likely to be named as a sole executor than those individuals who sought professional advice (79 per cent compared with 67 per cent of those who received professional support).
- 3.2.3 The decision whether to seek professional support or not is influenced by the size and complexity of the estate. As the figure below shows, where no professional support was received estates were more likely to be smaller in value, with 82 per cent of them having a value of £5,000 to £325,000 compared with 68 per cent where professional support was received. In only 13 per cent of those cases where paid for services were not received was the value of the estate over £325,000, for those who received professional support the proportion over £325,000 was 28 per cent.

Figure 7: Value of the deceased's estate



3.2.4 Furthermore, as referenced earlier there is a clear distinction between the complexity of the estates in which professional support is not received and those in which it is deemed that professional support is required. Figure 8 overleaf shows the percentage of respondents who did not have complicated estates by whether or not they paid for professional help. The figure shows that a significantly higher proportion of respondents who did not receive any professional support (84 per cent) reported that the estate had no complicating factors, compared to 58 per cent of respondents who received professional support.

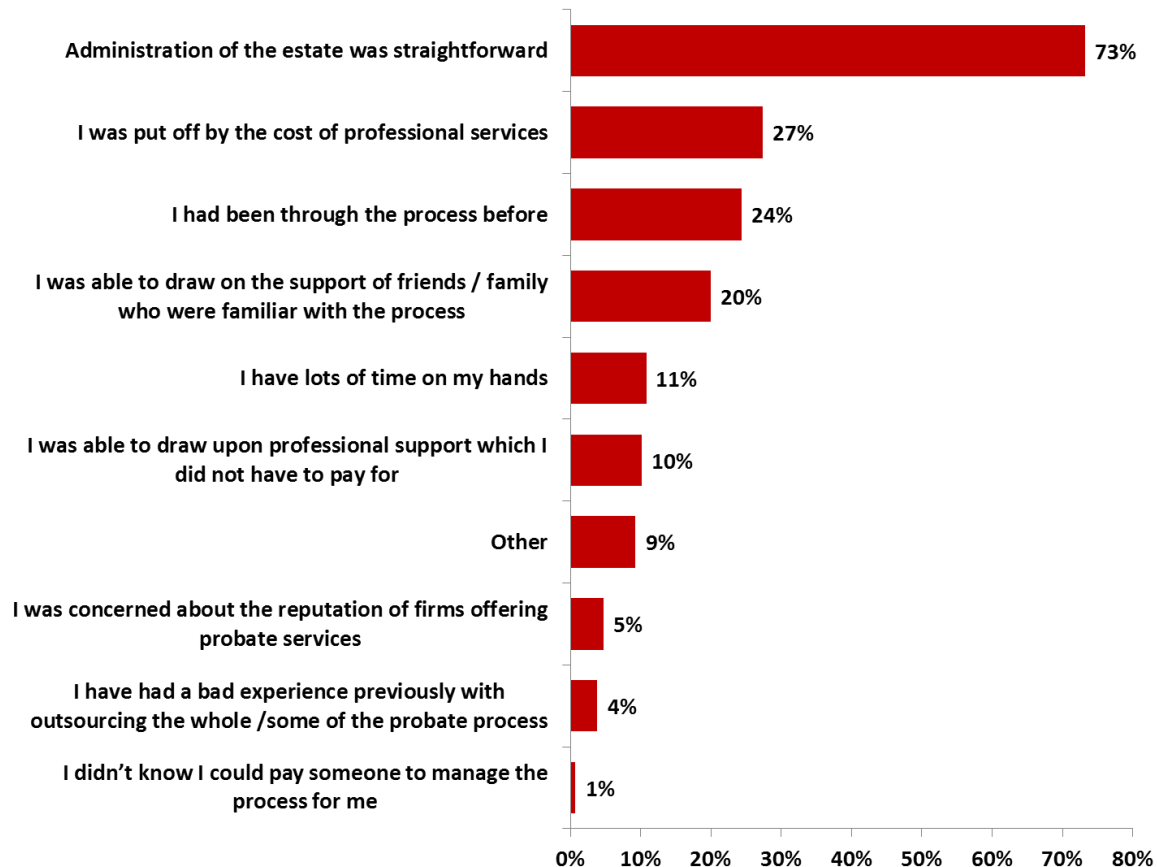
Figure 8: Existence of complicating factors in the estate

3.2.5 The two main factors that stand out as being important triggers of seeking professional support appear to be if the estate is subject to inheritance tax (17 per cent of those receiving professional support compared with three per cent receiving no professional support) and the existence of family trusts/ life interests (13 per cent compared with 4 per cent).

3.3 Why is it decided not to receive professional support?

3.3.1 A lower value and reduced complexity of an estate are important factors in deciding whether or not to receive any professional support, when specifically asked what the reason was for not receiving any professional support, nearly three quarters (73 per cent) said it was because the administration of the estate was straightforward, as displayed in Figure 9.

Figure 9: Reasons given for not receiving any professional support



3.3.2 The experience of having been through the process before (24 per cent) and the fact that respondents were able to draw on the support of friends / family who were familiar with the process (20 per cent) were also important factors in deciding to manage the process without any professional paid support.

3.3.3 Interestingly, the second most mentioned reason for not using professional support was that respondents were put off by the cost of professional services (27 per cent reporting this). Of these people, the majority (69 per cent) did not receive an official quote from a professional services provider. It therefore may be that there is a perception that costs of professional services are too high or that previous experience meant that costs were off putting to people, as highlighted by this quote:

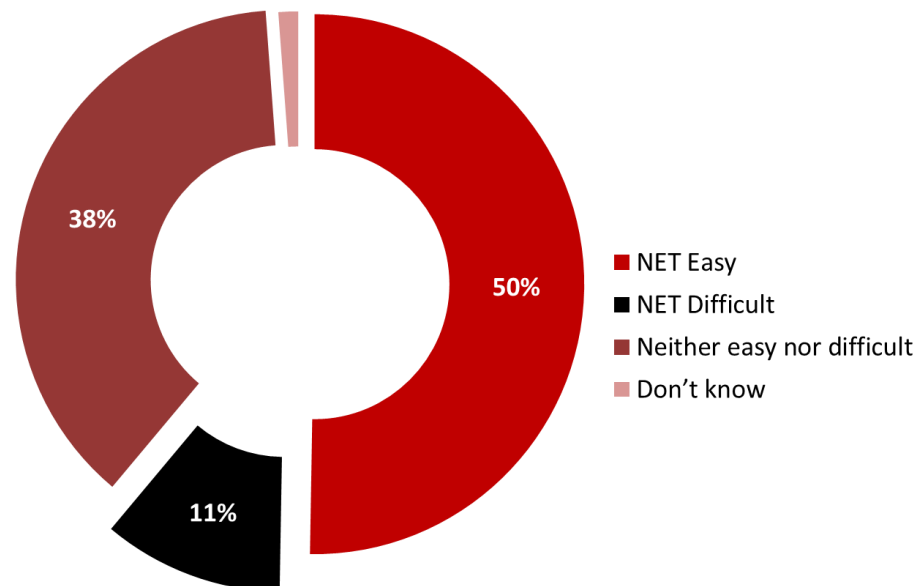
'From the situation I was involved in before I was aware of how far solicitors' bills can add up. [...] That put me off'

- 3.3.4 There also appears to be some key differences between the experience of executors and beneficiaries who completed the process without receiving any professional support. Those respondents who were an executor were more likely than beneficiaries to state that the administration of the estate was straightforward (77 per cent of executors compared to 49 per cent of beneficiaries). The survey shows that beneficiaries were more likely to draw upon the support of family / friends (35 per cent compared with 18 per cent of executors) and also draw upon professional support for which they did not have to pay for (21 per cent compared with eight per cent).

3.4 How did they find the process?

- 3.4.1 When asked to rate how easy or difficult managing the probate process was, half of those people who did not receive any professional support found the process easy. Only 11 per cent said the process was difficult and a further 38 per cent felt the process was neither easy nor difficult. This shows that in the main, those people who completed the process without any professional help found this a straightforward process to complete, possibly because the estates managed were of a lower value and complexity to others who sought professional support.

Figure 10: How easy or difficult did you find managing the probate process without any professional support



Base: All those who completed the process without any professional support (n=875)

- 3.4.2 Of those who did not receive any professional support, 40 per cent did not find any stages of the process challenging. Just over a quarter (27 per cent) reported that stage 1 (sourcing the will and investigating and valuing the estate) was the most challenging part of the process, a further 21 per cent thought that stage 2 (applying for and obtaining the grant of probate) was most challenging and 16 per cent that stage 3 (distributing the assets) was the most challenging stage.
- 3.4.3 In conclusion, for those people who managed the process without any professional support, the sense of ease and comfort with the probate process can be summed up by the fact that if those people were in a similar situation again 85 per cent of them would be willing to manage the probate and estate administration process again if required.

4 The delivery of services

4.1 Introduction

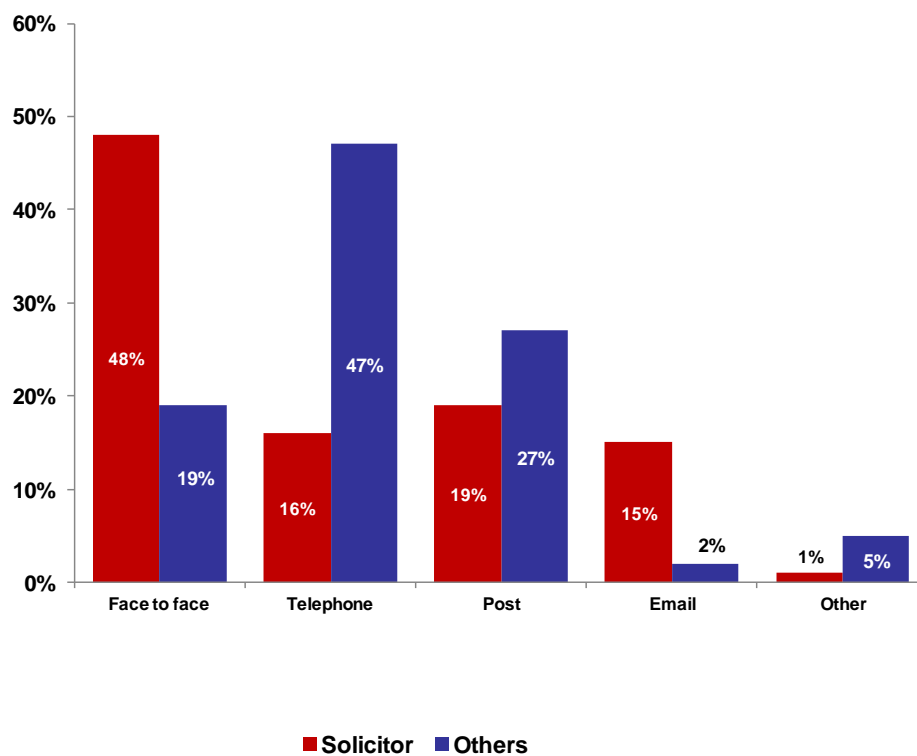
4.1.1 In this section the way in which services are delivered for example by phone, face to face, letter, email is analysed as well as the extent to which the service provider made the process clear and explained things. Finally, the section looks at how any complaints were dealt with.

4.2 The method of delivery

4.2.1 The main method of delivery for most people was face to face. This accounted for four in 10 service users (44 per cent). Telephone and post were the next most common main methods of delivery (21 per cent).

4.2.2 There are, however, differences by type of provider as the chart below shows.

Figure 11 : Main method of service delivery by category of provider



Base (n=873)

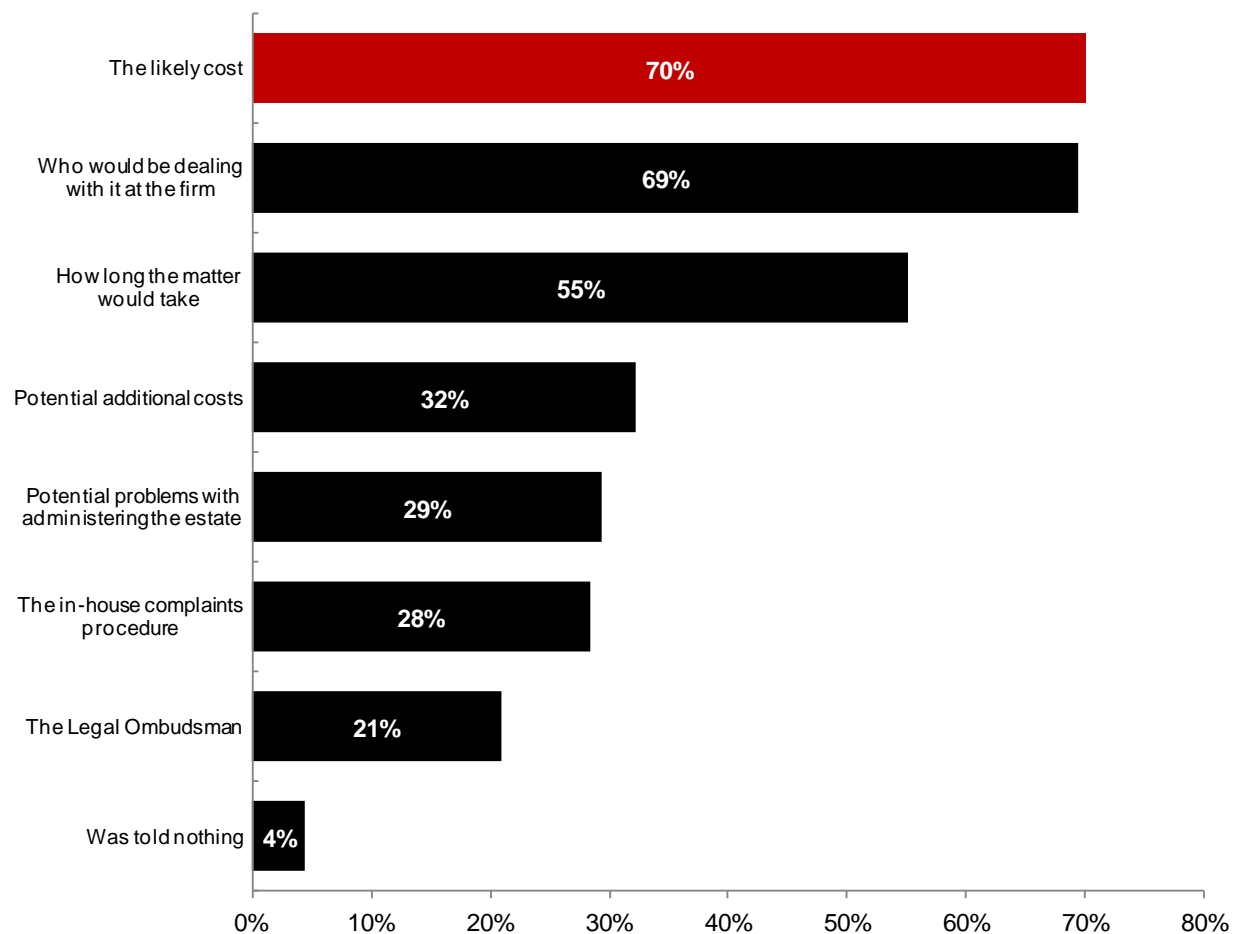
- 4.2.3 Providers have been grouped into two categories according to whether or not they are solicitors. The 'other' sample includes will writers, trust corporations, banks and accountants. The difference in method of delivery between solicitors and other providers is noticeable. Almost half of service users who appointed a solicitor dealt with them mainly by a face to face meeting while only 16 per cent dealt mainly with them by phone. For other providers the situation is reversed with the telephone being the predominant method of service delivery and face to face meetings being the main delivery vehicle in fewer than one in five cases.
- 4.2.4 The key issue here is whether the method of delivery has an impact on recipient's experience. Perhaps unexpectedly, the survey suggests that the face to face method results in the lowest mean costs (£1,320) with telephone more expensive but only slightly (£1,410). The mean total cost of the probate and estate administration for services delivered via post (£2,300) and email (£2,600) are much higher. However, the total cost does not necessarily tell the whole story as it is likely to be based on the complexity of the case, the value of the estate and the number and type of beneficiaries. A better measure might be perceptions of value for money and here again face to face and telephone score higher than post and email. Sixty two per cent of people whose main method of service delivery was face to face felt that the costs represented good or very good value for money. For telephone the figure was slightly lower at 56 per cent. For post, however, it was 50 per cent and for email only 46 per cent.
- 4.2.5 The costs associated with probate are covered in more detail later in the report. This section now goes on to discuss whether service providers give clear guidance on what the probate entails and an upfront explanation of their services and associated costs.

4.3 What happens on commissioning a service provider?

- 4.3.1 Clarity of information upfront is an important part of service provision. It is important to know in advance how much the service will cost, who will be dealing with the matter and what to do if a complaint should arise.
- 4.3.2 When asked about what they remember being told about at engagement, in general most people remembered being told the likely cost and who would be dealing with the

matter but information on how long it might take, any problems there might be on the way, possible additional costs and the complaints procedure were less well covered on commissioning.

Figure 12 : Issues covered by the service provided when first instructed



Base (n=873)

4.3.3 Solicitors are slightly better at saying who will deal with the matter (74 per cent compared with 40 per cent of other providers) and explaining the in-house complaints procedure (30 per cent compared with 16 per cent of other providers) but generally

there is little difference between type of service providers and the areas covered on instruction.

- 4.3.4 But, there are differences according to how the service is mainly provided. Where the service is mainly provided by email, consumers are more likely to be told how much it will cost (78 per cent) and who will deal with the matter (90 per cent). For face to face service providers the consumer is more likely to be told the likely cost (73 per cent) followed by who will deal with the matter (67 per cent).
- 4.3.5 A consumer is more likely to be told who will be dealing with the matter if the service provider is taking charge of the whole process. Where the provider is doing everything 77 per cent of people were told who will deal with the matter. Where the provider was providing services on an 'as and when' basis fewer than half were given this information (48 per cent). However, whether or not a contact name is provided has no impact on the consumer's overall satisfaction with the service.

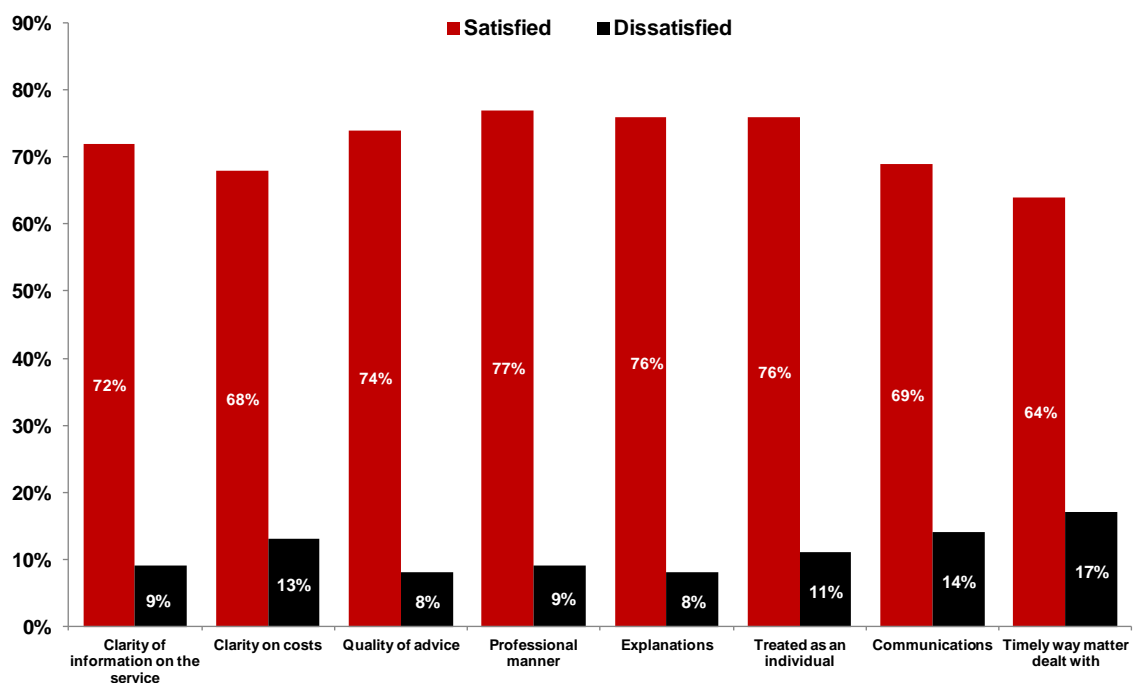
5 Satisfaction and dealing with complaints

5.1.1 In this section satisfaction with the role that the provider played during the process is analysed along with how any complaints were dealt with.

5.2 Satisfaction with the service provider

5.2.1 The majority of people (68 per cent) are satisfied with the overall service of the provider. There are some areas where people are less satisfied such as clarity of costs and timeliness of actions but generally the level of satisfaction is around three quarters as Figure 13 shows.

Figure 13 : Satisfaction with aspects of the service



Base: All purchasers of services (n=873)

5.2.2 Service providers are considered to act professionally, give clear and understandable explanations and treat people as individuals rather than as a file. There are some differences according to the capacity in which the respondent dealt with the probate.

Those acting as executors were much more likely to be satisfied with each and every one of these aspects. The difference is at least 10 percentage points and in relation to clarity on the service to be provided the difference is 18 percentage points.

- 5.2.3 There is little variation between service providers (solicitors versus other providers) but there are significant differences by the main way by which services are delivered.

Table 4 : Satisfaction (either satisfied or very satisfied) with aspects of the service by main method of provision

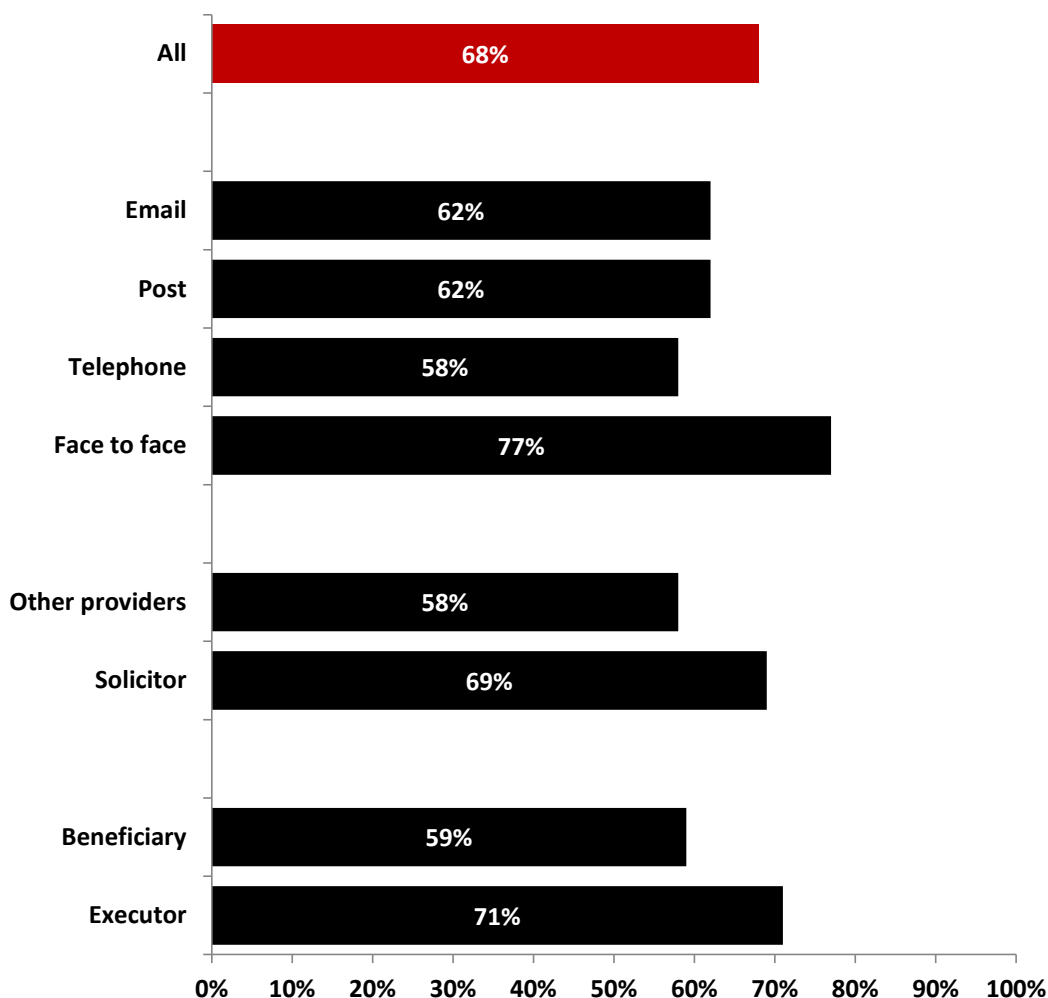
Aspect	Face to face %	Telephone %	Post %	Email %
Clarity of information on the service	79	68	68	62
Clarity on costs	72	68	64	61
Quality of advice	80	70	70	67
Professional manner	81	75	73	74
Explained things so that they were easily understood	81	71	73	71
Treated as an individual	81	73	70	72
Communications	75	66	65	62
Timely way matter dealt with	73	56	61	53
<i>Base</i>	<i>398</i>	<i>139</i>	<i>185</i>	<i>142</i>

- 5.2.4 For each aspect of service delivery those that are provided face to face score much higher levels of satisfaction than those delivered in other ways. Levels of satisfaction for services mainly delivered by telephone and post are roughly similar but email services lag behind on most aspects. The lowest rating for email services is for the timely way in which the matter was dealt with.
- 5.2.5 There is also a relationship between value for money and satisfaction. For each service delivery aspect the more a person perceived the service provider to provide good value for money the more satisfied they are and vice versa.

5.3 Overall satisfaction

5.3.1 Overall nearly seven in 10 consumers (68 per cent) are satisfied with the service they receive with one in seven (14 per cent) dissatisfied. There are, however, some significant variations according to type of delivery and provider as the chart below shows.

Figure 14 : Overall satisfaction with paid for probate services

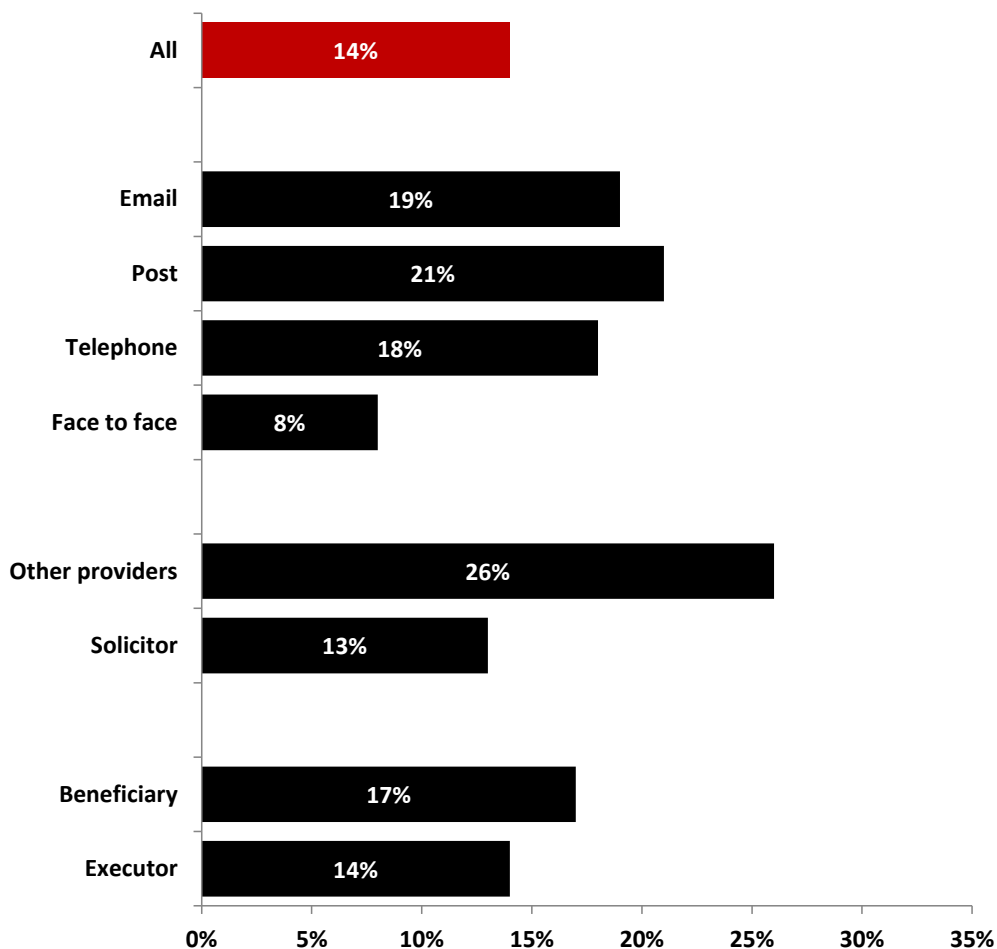


5.3.2 Those who received services face to face are the most likely to be satisfied and those whose main type of delivery is the telephone are the least satisfied. This pattern is reflected with the type of provider: a higher rating for solicitors who tend to deliver face to face and a lower rating for other providers who tend to use the telephone, post or email. Executors are much more satisfied than beneficiaries and this reflects higher

levels of satisfaction with aspects of the service such as clarity of information about the service, communications and timeliness of response.

- 5.3.3 Consumers of services provided by non-solicitors show a higher level of dissatisfaction. As the sample size is small for this group it is not possible to identify how this relates to different types of non-solicitor providers.

Figure 15 : Dissatisfaction with paid for services

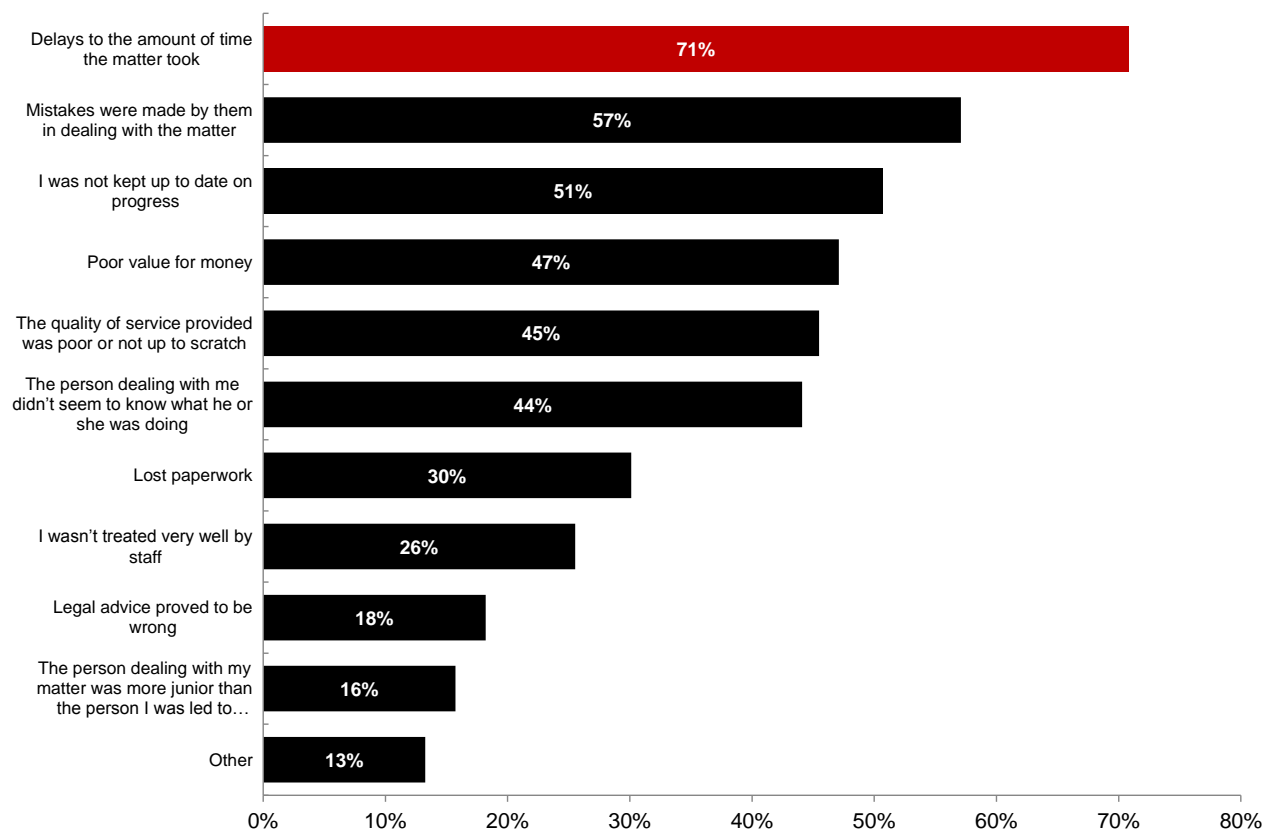


5.4 Dissatisfaction and making a complaint

- 5.4.1 It has been shown that one in seven people are dissatisfied with the service they receive. In this section analysis is undertaken of their reasons for dissatisfaction and the outcome of any complaint that was made.

5.4.2 The main point of dissatisfaction was with perceived delays in the process meaning that it took longer than anticipated to complete. Dissatisfied consumers also pointed to mistakes being made and a lack of communications between the service provider and the client.

Figure 16 : Reasons for dissatisfaction



Base= All dissatisfied (118)

5.4.3 The seeming lack of timeliness was also raised in the depth interviews, where many respondents felt forced to keep chasing their provider, in some cases out of fear of missing deadlines.

'No, they didn't keep us informed that well, no, not unless I phoned them up.'

'I felt a kind of dilatory attitude on the part of the firm of solicitors in the context of speed. This is happening just a few months before the financial crash [...] and I was, kind of, very sensitive to what might happen, and I felt the solicitors were not. Therefore it was very important for us to be able to deploy the assets effectively, which was going to provide a serious income for her daughter. Had I not absolutely kind of berated the solicitors, almost daily, they would have been out of pocket.'

- 5.4.4 This lack of communication often coincided with respondents feeling that the process was unduly delayed.

'They said [it would take] about three months and eventually, it ended up being about nine months altogether. [...] Turned out to be a really long time and that was mainly because they'd forgotten to do something.'

'I think perhaps it was a rather small estate compared, perhaps, to what he was used to dealing with. He just put it on the back burner. [...] It was the lack of time, really, and the fact that he would often not phone back or respond quickly enough.'

- 5.4.5 Some people also perceived that the service was not up to scratch and that the person dealing with it did not appear to know what they were doing or were too junior.

The woman dealing with it turned out not to be a solicitor but just a legal assistant. I think the issues were that they didn't listen to me when I originally went in and explained that my dad had died, and that my sister had died and she was also mentioned in the will. [...] I felt that, really, a solicitor might have picked up on that, rather than a legal assistant.

- 5.4.6 The depth interviews revealed problems deriving from changes in personnel within law firms. When someone was assigned a solicitor who subsequently left the company, this could result in delays as the new solicitor needed time to get up to speed.

- 5.4.7 There were also a couple of instances, discussed in the depth interviews, when the solicitor went on holiday (in one case for six weeks) and left the paperwork on his/her

desk without passing on the probate to a colleague which meant that the process was delayed significantly.

- 5.4.8 Other frustrations derived from perceived carelessness on the provider's part. Two respondents mentioned that they were sent documents with wrong or misspelled names by the solicitor. Someone else's solicitor failed to follow up an insurance policy despite being urged to do so several times by the executor.

'It didn't run smoothly, it wasn't as easy as we thought the process was going to be.' ***'The solicitors made a lot of silly mistakes. Silly mistakes, like spelling mistakes on names, getting names wrong.'***

- 5.4.9 Over one third of those who were dissatisfied (36 per cent) raised concerns with the service provided but a further quarter did nothing. Only 12 per cent of those dissatisfied made a formal complaint to the service provider. This represents two per cent of all those who commissioned paid for services.

- 5.4.10 The reasons that people did not complain focused mainly on the belief that no good would come of making a complaint and it might actually result in more expense. This was often compounded by it being a time of emotional distress.

'Do you know, it was such a hassle, you have got to prove that you have done all this and complained to them and you're not satisfied with the reply.'

- 5.4.11 Several respondents were unsure what more than an apology they could expect from the solicitor for the errors that were made.

'Every time I complained about something, they [the solicitors] were full of apologies. What more could I expect of them?'

- 5.4.12 Other respondents mentioned that they probably should have filed a complaint and might have done so had it not been such a stressful time. Though there was a general 'life's too short' attitude among many of the depth interviews when it came to making complaints. This also tended to be related to the fact that the respondents considered the problems not serious enough to go through the complaints procedure.

'They weren't mishandling the money, as such, in that they were fiddling with the money. You know, there was nothing major.'

'If it had been negligence, yes, we would've done something, but they're just irritating minor errors.'

5.4.13 It seems that as long as probate is completed successfully respondents were less likely to make any official complaints about problems along the way. As an example, none of the respondents we spoke with who initially experienced problems due to the a lack of seniority or perceived incompetence of the solicitor dealing with probate, that were then transferred to a more senior/capable solicitor that concluded probate successfully, filed a complaint.

'From that point when I said, it wasn't going right and I needed some more work, a solicitor then became available and she [the legal assistant] just disappeared off the scene, but we never got an apology. [...] They [the new solicitor] did [deal with things more competently], but they also put a lot more money on the things. The rate was a lot more.'

5.4.14 Some respondents wrote a letter to the senior partner after having expressed their dissatisfaction to the legal firm. They were then informed of the official complaints procedure but decided not to go ahead.

5.4.15 A few respondents said that they went to the Legal Ombudsman and filed complaints. Their experience of the complaints procedure was that the process was straightforward and thought the complaints body was very helpful.

'I made it clear on a telephone conversation [to the Legal Ombudsman] that there is an issue. So then they write me. [They had] put it all in writing and sent that to me and I signed it off and sent it back, and then they processed a claim from there.'

5.4.16 Some others contacted a local legal assistance service but felt discouraged from filing a complaint after speaking with them. They were either told the process would take a long time or that it could be costly.

'It wasn't so much an ombudsman. It was the next step up from a solicitor. When I made noises, it was like. 'Well, it will take forever and it will cost a lot more money', at which time we were almost in negative equity.'

6 The costs of paid services

6.1 Introduction

6.1.1 This section provides an overview of the selling process among users of paid professional services and the costs they experienced. It looks into:

- Additional services which were either purchased or offered
- What the costs were and how these costs were presented
- Expectation of costs and value for money

6.2 How were costs presented?

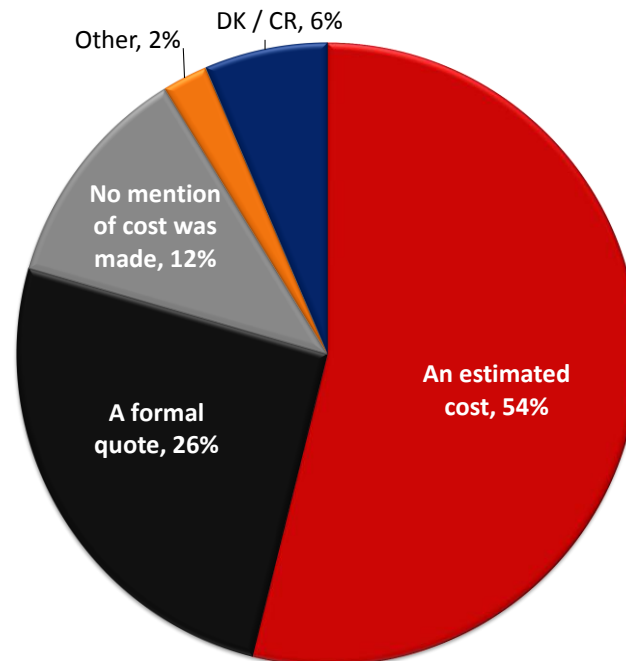
6.2.1 This next section looks at responses from those who used paid professional services but excludes those who had services pre-arranged by the deceased.

6.2.2 Over half (54 per cent) were provided with an estimated cost before commissioning and a quarter (26 per cent) of respondents were provided with a formal quote. For just over one in ten (12 per cent) there was no mention of cost and six per cent didn't know or were unable to remember.

6.2.3 The qualitative interviews also uncovered that providers who sent bills without breaking down the costs were viewed less favourably by their clients unless a fair lump sum price had been agreed at the start

'...the most annoying thing was that there was no breakdown of how they'd come to these costs, they'd simply taken the £2,000 of what was to be distributed between me and my other sister and that was it. My only problems when I question the bill are why there are no breakdowns?'

Figure 17 : Before you commissioned the professional service provider, what indication were you given about the cost of the probate and estate administration services?



Base: All who have continued with probate and estate administration and who needed a grant of probate and used paid professional help excluding pre-arranged death services (n=593)

- 6.2.4 For a third of these respondents, costs were presented as a fixed cost, three in ten were presented as hourly rates and for one in ten the cost was a percentage of the estate. Thirteen per cent said the costs were a combination of the above. There were no significant differences between the type of provider and the way costs were presented.
- 6.2.5 Respondents who were dissatisfied overall with the probate and estate administration service were significantly more likely to say that no mention of cost was made than those who were satisfied (23 per cent compared with 7 per cent). Similarly those who were satisfied with the overall service were significantly more likely to state an estimated cost was mentioned before commissioning compared with those who were dissatisfied overall (60 per cent compared with 35 per cent).

- 6.2.6 This trend also filters down to value for money where those who found the service poor value for money being significantly more likely to state no cost was mentioned compared with those who found it to be good value for money (21 per cent compared with 6 per cent). There is an indication that respondents who were told about costs upfront, whether these were quotes or the final amount generally tend to be more satisfied and content with the probate service provided to them.
- 6.2.7 The qualitative interviews found that problems often arose when those passing on the probate to a provider failed to request a quote at the start of the process. This tends to happen when respondents assume that the provider will charge a fair amount or when it simply did not occur to them to ask for a quote at the start.

‘The only problem at the end of the day was when I got the bill and I was a bit surprised. I mean, it’s partly my fault, because I never stopped to ask what it entailed. I simply trusted, you know, professionals to do it properly and to charge accordingly, you know?’

6.3 What were the costs and how were they explained?

- 6.3.1 Among respondents who had completed the process and who were not presented their costs as a percentage of the estate, the average cost incurred to them was approximately £1,700.
- 6.3.2 As Table 5 shows, the average cost varied greatly based on how the cost was presented. Respondents who were presented with a fixed cost, tended to state their total cost as c. £1,200. This figure is significantly lower than respondents who were presented with hourly rates (c. £1,800) and combinations (c. £2,500). The difference in costs between those who were presented with a fixed rate compared with those who were presented costs as a combination is more than double.

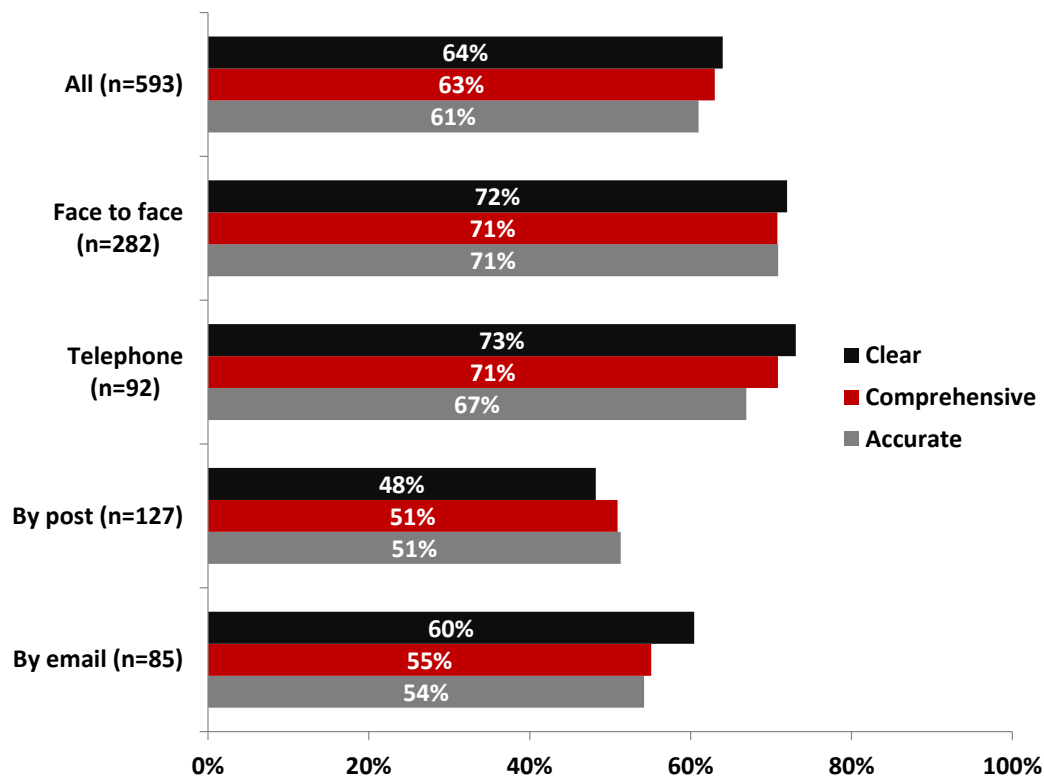
Table 5: Average cost

Presentation of Cost	Average cost (£)
Fixed price (n=156)	£1238.29
Hourly rates (n=117)	£1862.86
Combination (i.e. fixed, hourly and percentage of estate) (n=65)	£2531.26

- 6.3.3 There are also stark differences between costs and value for money – respondents who felt they received good value for money paid on average a total of c. £1,400. If we now compare this to the amount of those who believed they received poor value for money, the figure doubles to c. £3,000.
- 6.3.4 Price also has an impact on satisfaction – respondents who were satisfied with the service overall were more likely to pay less than those who were dissatisfied (c. £1,500 compared to c. £2,300).
- 6.3.5 The majority of respondents (62 per cent) said the final cost was about the same as they expected, a quarter (27 per cent) said it was either slightly or much more and only five per cent said it was slightly less or much less. The question then is how much is the ‘expected’ or ‘accepted’ amount? Respondents who said the final cost was the same as they expected paid on average c. £1,400, those who said it was more paid c. £2,600.
- 6.3.6 The qualitative interviews found that problems also arose when there was a lack of communication from the provider and especially when the provider failed to communicate an increase in the price.
- ‘We had a really hard time trying to get any information and the bills went sky high. From £800 to £2,500. We hadn’t had any explanation.***
- 6.3.7 Failure to break down the costs on the final bill was also a major cause of frustration found within the depth interviews, although some respondents acknowledged that they knew from the start that the firm would operate in this manner.
- 6.3.8 Results tend to indicate that if respondents paid on average between £1,200 and £1,500 they were generally satisfied and happy as it was broadly in the region they expected.
- 6.3.9 With net agreement scores of around 60 per cent, it is clear that most respondents were satisfied with the explanation of costs. The figure shows explanation of costs broken down by how the service was mainly delivered. While scores are similar, it is clear that those respondents who received the service face to face or via telephone

were far happier with the explanation of costs than those who received the service either through post or email.

Figure 18: To what extent do you agree or disagree that the explanation of costs was... (Net agreement scores)



6.3.10 With net agreement scores of +72 per cent and +73 per cent, respondents who received their service face to face or via telephone seem more likely to agree that's costs were clear compared with those who received it via post (+48 per cent) or email (+60 per cent). Overall respondents who received the service via post had lower agreement scores for clarity, comprehensiveness and accuracy of costs.

6.3.11 When broken down by how costs are provided, respondents who were presented costs as a fixed price were significantly more likely to agree that costs were clear, accurate and comprehensive than those who were presented costs as hourly rates or a combination.

6.4 Value for money

6.4.1 Over half (56 per cent) of respondents felt the overall service and advice provided was very good/ good value for money. A quarter (29 per cent) felt it was neither good nor poor and 15 per cent felt it was poor/ very poor value for money.

6.4.2 The qualitative interviews found that while some respondents found the probate process more expensive than they had expected, they often mentioned that they had no idea what ‘this sort of thing’ costs. As a result they sometimes found it hard to say whether they were getting value for money:

‘I did think it was a bit pricey, but when I spoke to a few other people they said, ‘No, that’s about average.’

‘I’m not entirely sure what it is we’re paying for in terms of what would be the liabilities. I know they have to carry insurance for things that, if we did independently, we would be involved in. Do you know what I mean? I can’t really say whether it was value for money, because I don’t know all the ins and outs involved.’

6.4.3 The depth interviews found that respondents who believed they were receiving poor value for money felt they had done the bulk of the work or had to continuously chase their provider:

‘If he was charging £20,000 for what he did, I should have charged £100,000 for what I did. I did 90% of it. It was ridiculous. [...] All he did was write a few letters and things like that.’

6.4.4 Where the service was mainly delivered face to face, respondents were significantly more likely to state it was good value for money than poor (62 per cent compared with 8 per cent).

6.5 Additional services

- 6.5.1 The majority of respondents (76 per cent) felt they were not pressurised by the professional service provider to purchase any additional services throughout the probate process. This response was significantly more common among respondents who had used a solicitor (81 per cent) than those who had used non-solicitors (41 per cent).
- 6.5.2 One in ten felt a fair amount of pressure and four per cent felt a great deal of pressure from their service provider to purchase additional services. Nonetheless, one in ten (8 per cent) were not offered any additional services and two per cent were unable to remember.
- 6.5.3 Among the fourteen per cent who were offered additional services, a third (31 per cent) said these were property sales (related to estate) or power of attorney (27 per cent). One in five said investment advice (21 per cent), tax advice (20 per cent) and life assurance (19 per cent) services were offered.
- 6.5.4 Among those who were offered additional services, 68 per cent went on to buy these and 32 per cent did not. These figures have been based on only 47 respondents and should therefore be treated with great caution.

7 Views on the probate and estate administration process

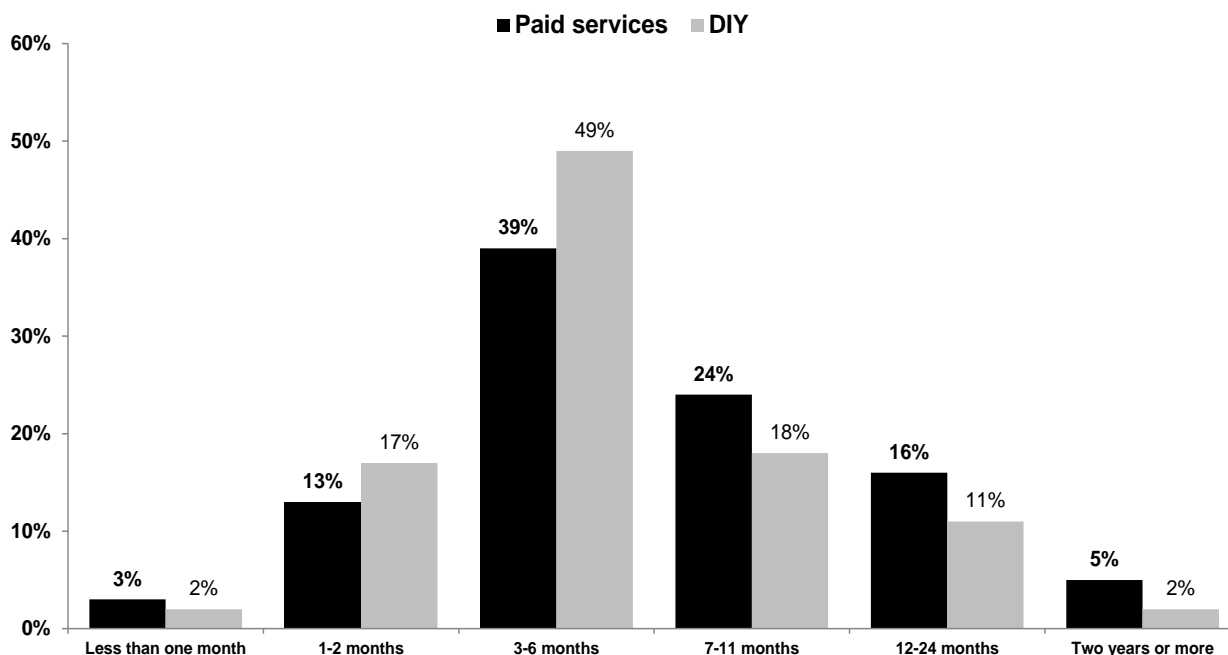
7.1 Introduction

7.1.1 In this section the views of respondents on the process of probate and estate administration is explored. The section examines how long the process took and whether or not this was longer or shorter than expected.

7.2 How long does probate take?

7.2.1 For the majority of people (62 per cent) the probate process is complete within six months, taking between three and six months in 44 per cent of cases. Clearly the length of time taken depends upon the complexity of the case. For respondents who said that there were no complicating factors (such as a contested will, inheritance tax issues, young beneficiaries) 65 per cent were finished within six months. This compares with 51 per cent for those who had complications.

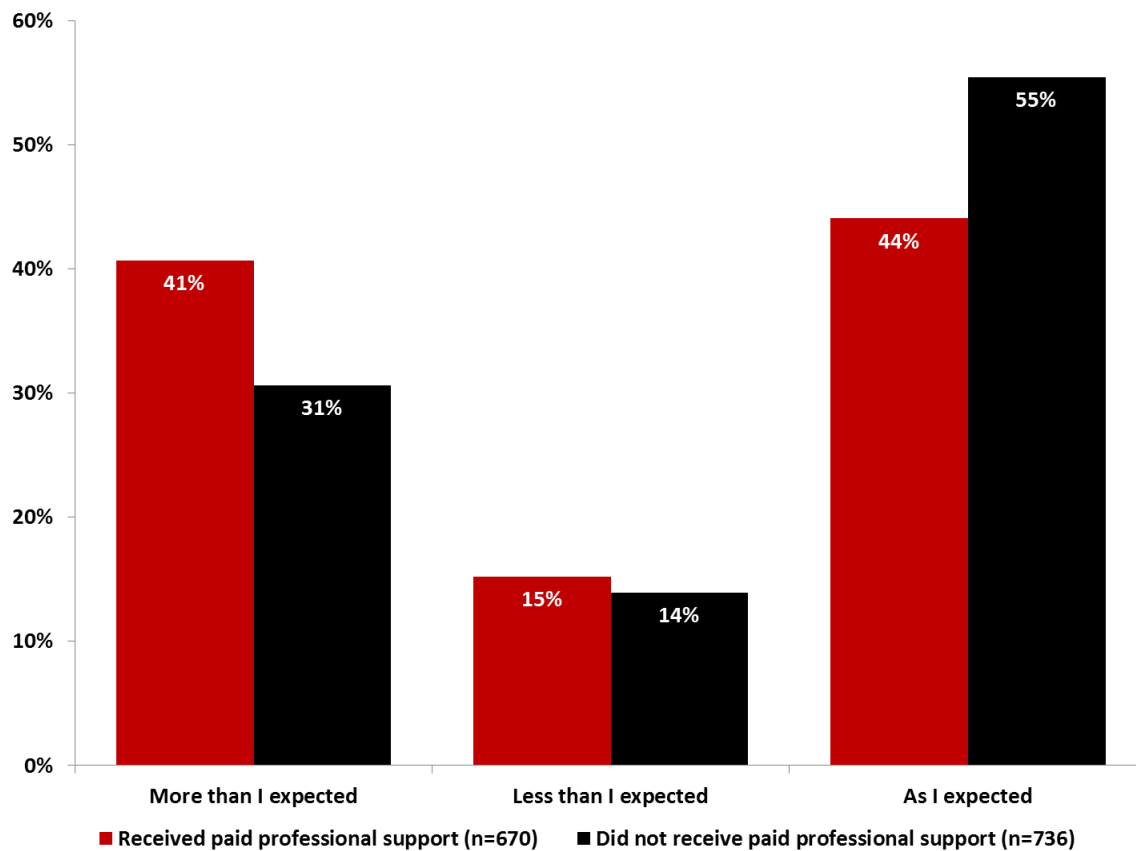
Figure 19 : Length of time taken to complete the probate process



7.3 Was it longer or shorter than expected?

7.3.1 As shown in Figure 20, those who received no professional support were also significantly less likely to say that the process required more time and effort than they expected, with 31% of people reporting this, compared with 41 per cent of those who received professional support. Those people who did not receive professional support were also more likely to have a better expectation of how much time and effort was required with 55 per cent reporting that it was as they expected.

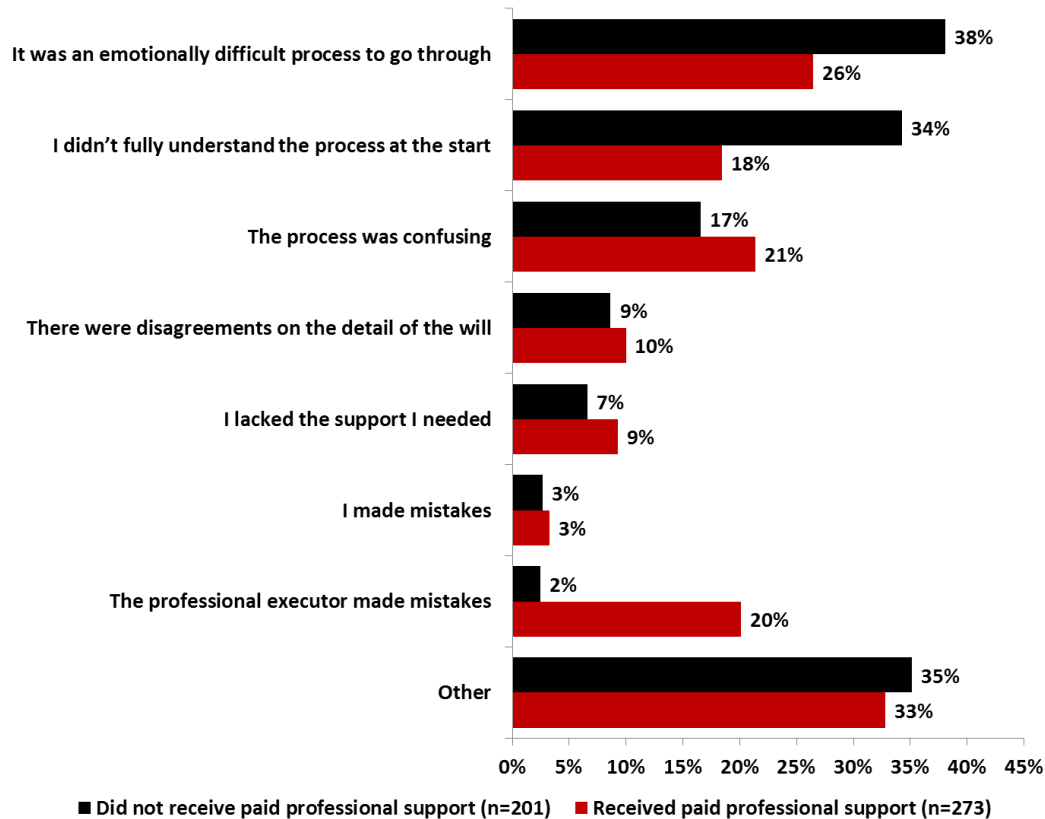
Figure 20: How much time and effort was required in the probate process?



7.3.2 A significantly higher proportion of those people who received no professional support and felt that the process required more time and effort than they expected, reported that this was because 'it was an emotionally difficult process to go through' (38 per cent) and that they 'didn't fully understand the process at the start' (34 per cent). This

shows that although the majority of people felt the administration was straightforward, a small group of people did misunderstand what the process entailed.

Figure 21: Why did the process require more time and effort than you expected?



7.3.3 The survey does not identify those who considered the general process to be long from those who felt that their service provider was slowing the process down. This response from the depth interview suggests that there is a distinction to be made:

'I believe it took about six months... which I felt was a long time considering it was all very straightforward... I don't think it was the solicitors. They were generally waiting to hear back from someone.'

7.3.4 In the depth interviews, it was found that those who manage the process themselves can feel frustrated about how long it took for banks, building societies or utility companies to respond after they had sent them the required documents. Several

instances were cited where paperwork that had been sent to the bank was lost and had to be resent.

- 7.3.5 Many respondents were also surprised at how many forms they had to fill out as well as the complexity of the forms. Getting all the numbers right was seen to be a challenge by some.

'...it was surprising that we need to get it witnessed [the signing of forms] by a solicitor and then we need to send back another form. There are tonnes of forms.'

- 7.3.6 Working together with a co-executor was generally considered to be helpful as it takes away the pressure of having the sole responsibility of dealing with an estate. Most co-executors in our study tended to divide up the workload and in several instances one of the executors took charge while continuing to run important decisions past the co-executor.

'I think it helped to have another member of the family to discuss things with, yes, definitely'

- 7.3.7 But there were some instances where having more than one executor on the will complicated or slowed down the process. One respondent felt that the solicitor who was a co-executor on his uncle's will was working against him.

'He [the solicitor] was also an executor named in the will. He just said, 'No, I'm going to do it.' [requesting a counsel's opinion] He just went against what my opinion was... I really did begin to feel that he wanted that money to go to the college'

- 7.3.8 Another respondent said the paperwork took longer because both he and his sister (the co-executor) had to sign each document and with them living miles apart, this significantly slowed down the process.

8 Concluding observations

- 8.1.1.1 The majority of estates are not complicated. Under these circumstances people are more likely to undertake the probate without professional help. Part of the reason for this is that they believe it to be straightforward or they perceive that the costs of getting a professional involved will be too high. However, most people who think this do not obtain a quote so it could be that their perception of what it would cost to secure professional help and what it actually costs may be different. In a third of cases the deceased has pre-arranged professional services meaning that the decision is not theirs to make.
- 8.1.2 With a higher proportion of people satisfied than not, those who commission services are generally quite happy with them but there is room for improvement particularly around communications, clarity on costs and timeliness. Lower levels of satisfaction on these aspects drag down overall satisfaction scores. That said there is no evidence of widespread dissatisfaction among consumers. There is evidence, however, that expectations about how long it will take are not universally met. Greater upfront clarity would be useful as well as an explanation of the pinch points in the process and what the impact could be on the timetable. There are also indications that more could be done to provide greater clarity on costs.
- 8.1.3 On the issue of costs there is also a great deal of disparity – why is it that someone who is presented with a fixed costs ends up paying half that of someone who is presented with costs in a combination of ways. With the average public not knowing how much such a process costs, it makes it very difficult for them to ascertain value for money.
- 8.1.4 Mode of delivery is also a key player in people's perception of the clarity, comprehensiveness and accuracy of costs. Clearly people believe that face to face and telephone provide more 'openness' on costs and those who used other medians such as post or email seem to have felt 'left in the dark' at times.
- 8.1.5 Very much related to costs, the research has also shown that there is very little shopping around and comparison of costs undertaken. Partly this is a reaction to people going with the service provider (usually a solicitor) that they know or who was

recommended to them. Price and value for money is not, therefore, a key driver of which provider to commission but a lot of this might be because people do not really know how much to pay for 'this sort of thing'. It's not something that they are exposed to everyday. However, price is one of the factors that cause people to be dissatisfied either because it is not clear how the final cost was arrived at or people feel it does not represent value for money. There is very much a contextual element to this. At the start of the process many people feel emotionally stressed and go with the provider familiar to them but by the end of the process they are more focused on the business elements of the process (time and costs) and make assessments very differently. The upshot of this is that many people would benefit from having clearer comparative price information at the start of the process where currently they have none.

- 8.1.6 There is also an issue of why it takes longer for the process to complete when a professional is involved compared with when one is not involved. Part of this explanation is that professionals are usually involved where the estate has complications or has a high value but this is not necessarily the whole answer. The depth interviews showed that there is a lot of sending documents back and forth and chasing up of various parties. Yet at the same time the survey has shown that things take longer when email is the primary mode of delivery.