we are digital

HM Courts & Tribunals Service

We Are Digital

Network Training Pack

HMCTS Network Training Pack_Probate_v1.0

Contents

Apply for probate

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How to support users to apply for probate

Users may want to apply for probate online. Before you can deal with someone's property, money and possessions after they have died, you must have been granted probate.

If you are completing a **REMOTE** support session, the user needs to have their own device. Your role is to verbally walk them through the process step by step.

You **CANNOT** fill the form in on behalf of the user. They must complete a statement of truth on their own device and submit the form themselves.

The first thing to do is to check if the user

- needs probate to deal with the person's estate, and
- is eligible to apply for probate.

You can find more details about both at [Apply for probate](https://www.gov.uk/applying-for-probate) on GOV.UK

If they are an executor of the deceased's will, check also that they have discussed who will apply for probate with any other executors (an executor is someone who has been appointed to deal with someone's estate after they die in a will). Only one person can make the application for probate but up to four executors can be named on the application/grant of probate.

If the deceased did not leave a will, check if they are the spouse, civil partner or adult child of the deceased. If they are not they cannot use the online service to apply for probate. If there is more than one adult child, they will need to decide who will apply as only one person can make the application using the online service.

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Check if they are ready to apply

Before the user can apply for probate, they need to have completed many tasks. Check if they have:

- identified what assets (savings, property, things of value) and debts (such as credit cards, loans or mortgages) the deceased person had (including having any property valued),
- used the above to estimate the total value of the deceased person's estate,
- found out if they will need to pay inheritance tax (the easiest way is to use the Inheritance tax checker tool on GOV.UK), and
- reported the estate's value and, if required, sent forms IHT400 and IHT421 to HMRC (full info on when it is required is on GOV.UK).

If the user needs digital assistance with the above forms, or information about inheritance tax and what they need to do in another format or language, they can get it from HMRC.

If there is Inheritance Tax to pay, the user must also wait 20 working days from the date they sent the tax forms to HMRC.

If any of these things have not been done yet, direct the user to the information on applying for probate on GOV.UK if they have access to the internet.

We Are Digital can only assist with the actual application for probate.

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What to bring to the appointment

1. A death certificate or interim death certificate (this needs to be in English or they must have a translated copy).
2. The original copy of the will (if there was a will). If the original copy cannot be found, they will need to apply by post.
3. A debit or credit card to pay the application fee.
4. If they completed any inheritance tax forms (IHT400 or IHT421 if they have to pay inheritance tax, or IHT207 if they do not because the estate is exempted), copies of those forms OR details of the values of the estate for Inheritance Tax, gross value of the estate, and net value of the estate.
5. Full names, email addresses, phone numbers and postal addresses of any other executors.

Application fee and help with fees

The fee to apply for probate is £267 if the estate is worth more than £5,000. If the estate is worth less than £5000, there is no fee.

If the user is on a low income or on income related benefits (for example Universal Credit or Pension Credit) they may be able to claim back some or all of the application fee through Help with fees (see separate training) after the probate application has been made. If they cannot afford to pay the fee to apply and claim it back, they should apply for help with fees (either online or on paper) and for probate using the paper system.

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Make the application

[Apply for probate](#) via GOV.UK. The service is easy to use and most things are explained on the screen.

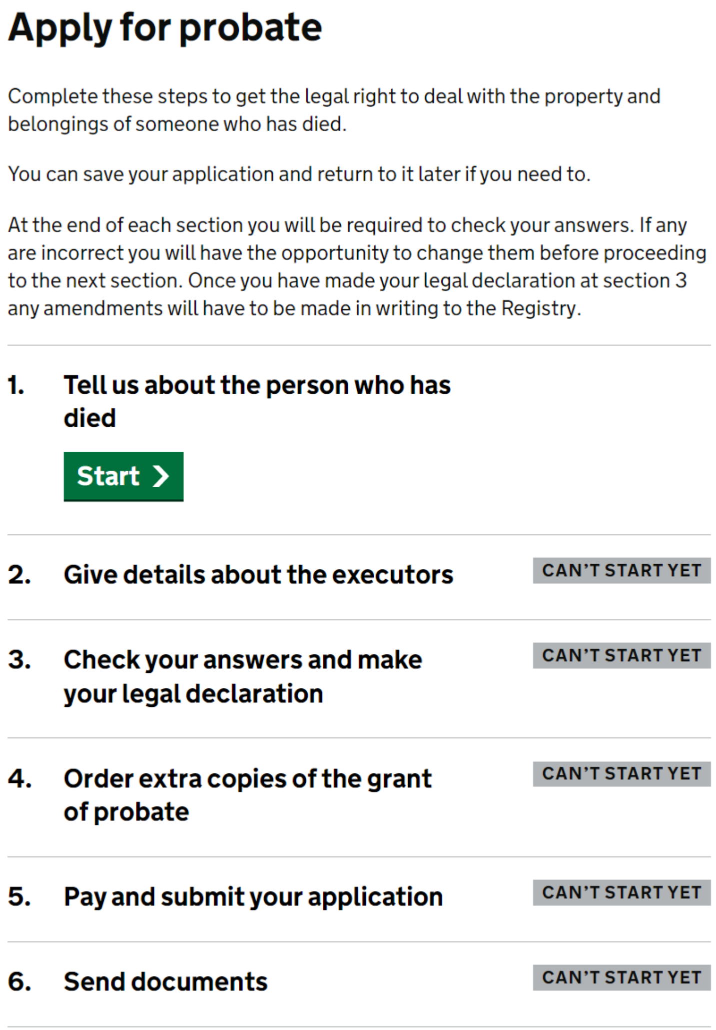
The only really tricky thing is that if you realise you have given a wrong answer, you cannot go back a screen to change it. You can change it later in the process (in step 3 – Check your answers) but if you select a wrong answer, it maybe that you cannot answer subsequent questions. It is therefore worth reading each question carefully. If you do make a mistake, it might be easiest to start a new application from within the same account.

The first few screens check that the user is ready to apply for probate and can apply online.

The user will need an email address. If they do not have one, explain the above and ask if they would like your help to set one up.

Next the user creates an account. They will only have an account already if they have made or responded to a money claim, a divorce application, or help with fees online.

Then you arrive at a screen like this, which shows the different tasks to complete.



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About the person who has died

You don’t need to get to the end of each task to save your progress. Press save and close at any point to stop and come back to it later.

If the user has done all of the things on the previous screens, it will be easy to provide details of the person who has died.

One question that does sometimes trip people up is ‘Did you complete IHT forms to report the estate’s value?’ Be aware that this means did you complete forms IHT400 or 421, or IHT247, and not did you use the [Inheritance Tax checker](#).

If you did not have to complete a form because the estate was of a low value, select no and use the figures from the Inheritance Tax checker to complete the questions on the following page, ‘What are the values of the estate for Inheritance Tax?’

After that you get to ‘What are the values of the estate for probate?’ This is a little tricky as you need to work these out yourselves but the explanation of how to do that is on the screen. Read it aloud to the user and support them to calculate the right answers.

What are the values of the estate for probate?

Gross value in £

This is the total value of the deceased’s assets in their sole name.
To work this out, subtract the values of any joint assets passing to the other joint owner, foreign assets, all gifts and assets held in trust from the gross value of IHT.

£

Net value in £

To work this out, take the gross value for probate and deduct the total value of the deceased’s debts including funeral expenses and any other debts they owe at the time of their death in their sole name.

£

Save and continue

Save and close

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About the executors

Give details about the executors is simple. It asks for the user's name and address and those of the other executors.

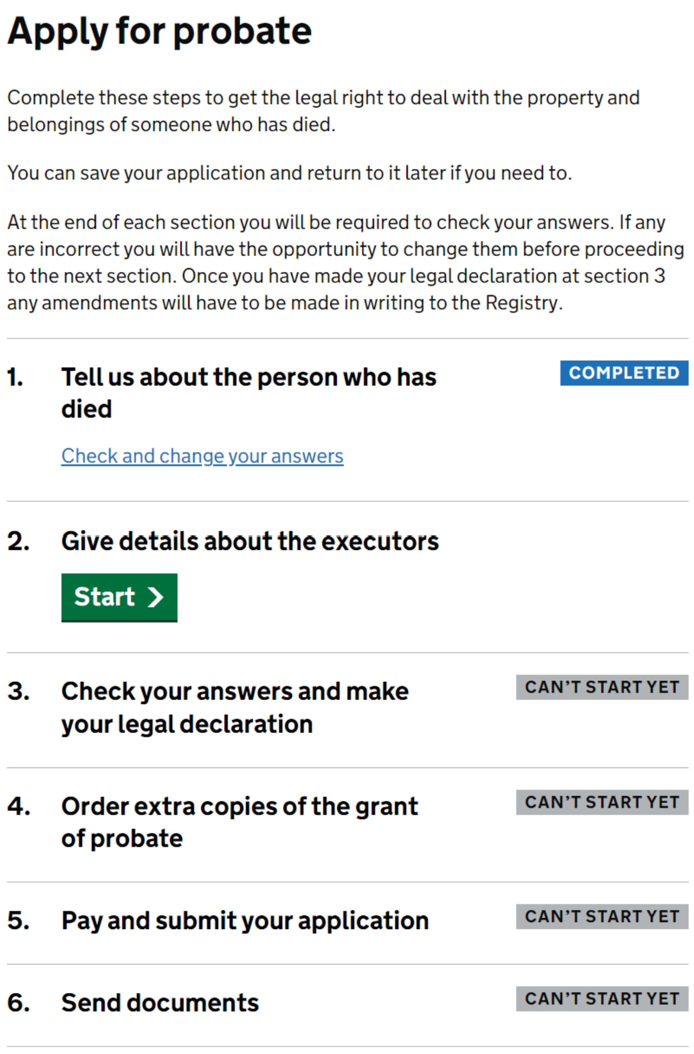
If your name has changed since the will was written, you will need to give details of why.

If any of the other named executors have died, you need to say who, and whether they died before the person whose estate you are dealing with or later.

You are asked if any of the other executors will be dealing with the estate. If you are not sure, it is best to say yes as that leaves the option open.

You need to supply contact details of the other executors. They then get contacted and asked to agree the details of your application.

Next you are asked to answer some equality and diversity questions – these are optional and are not connected with your application. It is to help HMCTS when developing these services.



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Next you arrive at a check your answers screen. Do support the user to check everything carefully as it cannot be changed once everyone has made their declaration.

If a mistake is spotted after the declaration, you will have to make another application for probate.

Check your answers

Check the information below carefully. This will form a record of your application for probate. It will also be stored as a public record, and will be able to be viewed online.

About the person who died

Do you require a bilingual grant in English and Welsh?	No	Change
First name and any middle names	Steve James	Change
Last name	Sampson	Change
Did Steve James Sampson have assets in another name?	No	Change
Did Steve James Sampson get married or enter into a civil partnership after the will was signed?	No	Change
What was their date of birth?	13 May 1972	Change
What was the date that they died?	12 December 2021	Change
What was the permanent address at the time of their death?	63 Stroud Green Road London N4 3EG United Kingdom	Change
Did Steve James Sampson die in England or Wales?	Yes	Change
Do you have a death certificate or an interim death certificate?	Death certificate	Change

Condition of the will

Does the will have any visible damages or marks?	Yes	Change
Describe the damage	Staple or punch holes	Change

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After that, you arrive at the screen where they need to check the legal statement and make their declaration.

Read all of the information on this screen out to them.

Check the legal statement and make your declaration

This statement is based on the information Maria Sandra Sampson has given in their application. It will be stored as a public record.

In the High Court of Justice
Family Division
(Probate)

Legal statement

We, Maria Sandra Sampson of Flat 3 2 Goda Road Littlehampton BN17 6AS United Kingdom and Jacob Nick Jones of 5 Goda Road Littlehampton BN17 6AS United Kingdom, make the following statement:

The person who died

Steve James Sampson was born on 13 May 1972 and died on 12 December 2021, domiciled in England and Wales.

The estate of the person who died

The gross value for the estate amounts to £230000.00 and the net value for the estate amounts to £200000.00.

To the best of our knowledge, information and belief, there was no land vested in Steve James Sampson which was settled previously to the death (and not by the will) of Steve James Sampson and which remained settled land notwithstanding such death.

Executors applying for probate

Maria Sandra Sampson, an executor named in the will, is applying for probate.

Maria Sandra Sampson will send to the probate registry what we have seen and believe to be the true and original last will and testament of Steve James Sampson.

Jacob Nick Jones, an executor named in the will, is applying for probate.

Executors not applying for probate

Susan Jane Sampson, an executor named in the will, is not making this application because they died before Steve James Sampson died.

Declaration

We confirm that we will administer the estate of Steve James Sampson, according to law. We will:

- collect the whole estate
- keep full details (an inventory) of the estate
- keep a full account of how the estate has been administered

If the probate registry (court) asks us to do so, we will:

- provide the full details of the estate and how it has been administered
- return the grant of probate to the court

We understand that:

- our application will be rejected if we do not answer any questions about the information we have given
- proceedings for contempt of court may be brought against the undersigned if it is found that the evidence provided is deliberately untruthful or dishonest, as well as revocation of the grant

☐ I confirm that I will administer the estate of the person who died according to law, and that my application is truthful.

Save this page

Legal declaration (30kb PDF)

Once they have made their declaration, they are asked to press a button on the next screen which notifies the other executors named on the application.

Once they have done that, the other executors have to confirm that everything the user has said in the application for probate is correct.

If they don't think it is, they and the user need to agree what changes need to be made outside of the Apply for probate process.

Notify the other executors who are applying for probate

Once you've notified the other executors who are applying, they'll be sent an email telling them the legal statement is ready to agree.

> A grant of probate can't be issued until all the executors who are applying agree that the legal statement is correct.

If the other executors who are applying don't agree

Anyone who doesn't agree with the legal statement will be asked to contact you to discuss what needs changing.

You can continue to make changes to your application until everyone has agreed the legal statement.

If you change the information on your application

If you make any changes, you'll need to contact the other applying executors to let them know the legal statement has been updated and is ready for them to agree.

They can always see the most up to date version of the legal statement using the link we email them.

The applying executors' contact details

Jacob Nick Jones	jacobjones@gmail.com	07900345672	Change

Notify the other executors who are applying

Save and close

Apply for probate

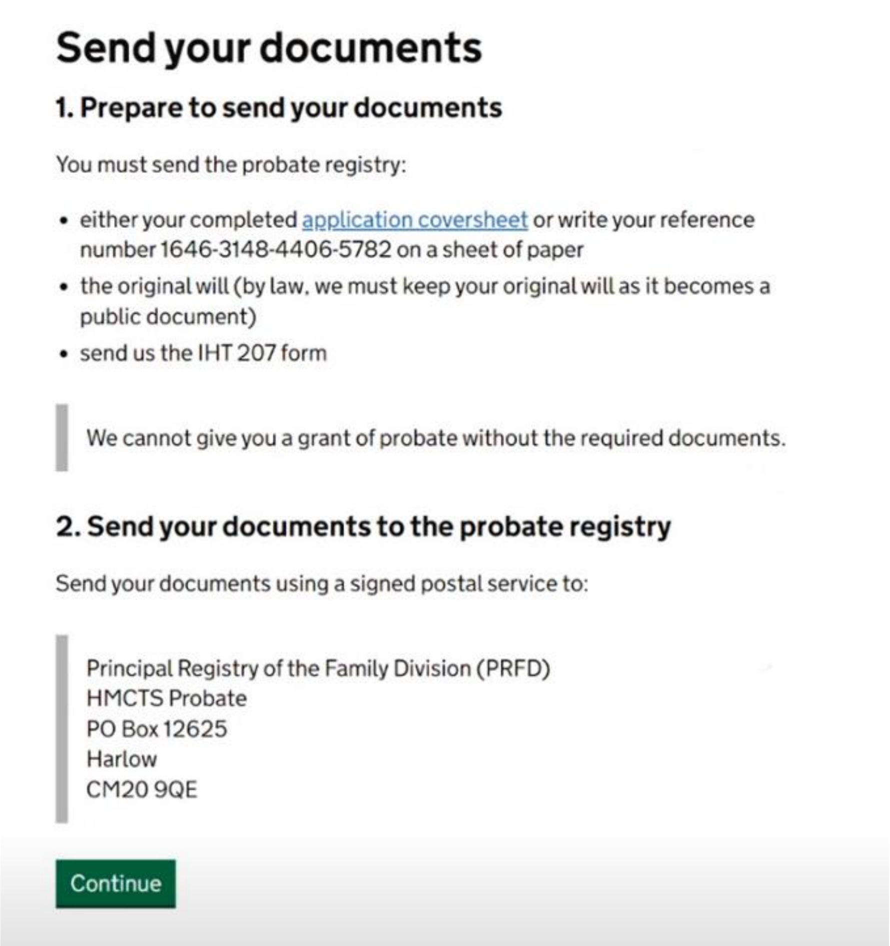
Next the user is offered the opportunity to order extra copies of the grant of probate. They don’t have to, but it can be very useful as it enables them to send them to different organisations (for example the bank, the pension provider, and the insurer) at once, rather than waiting for the one copy to be sent back each time, before they can contact the next organisation.

If the deceased had assets outside of the UK, you may need extra certified copies of the grant of probate to access them.

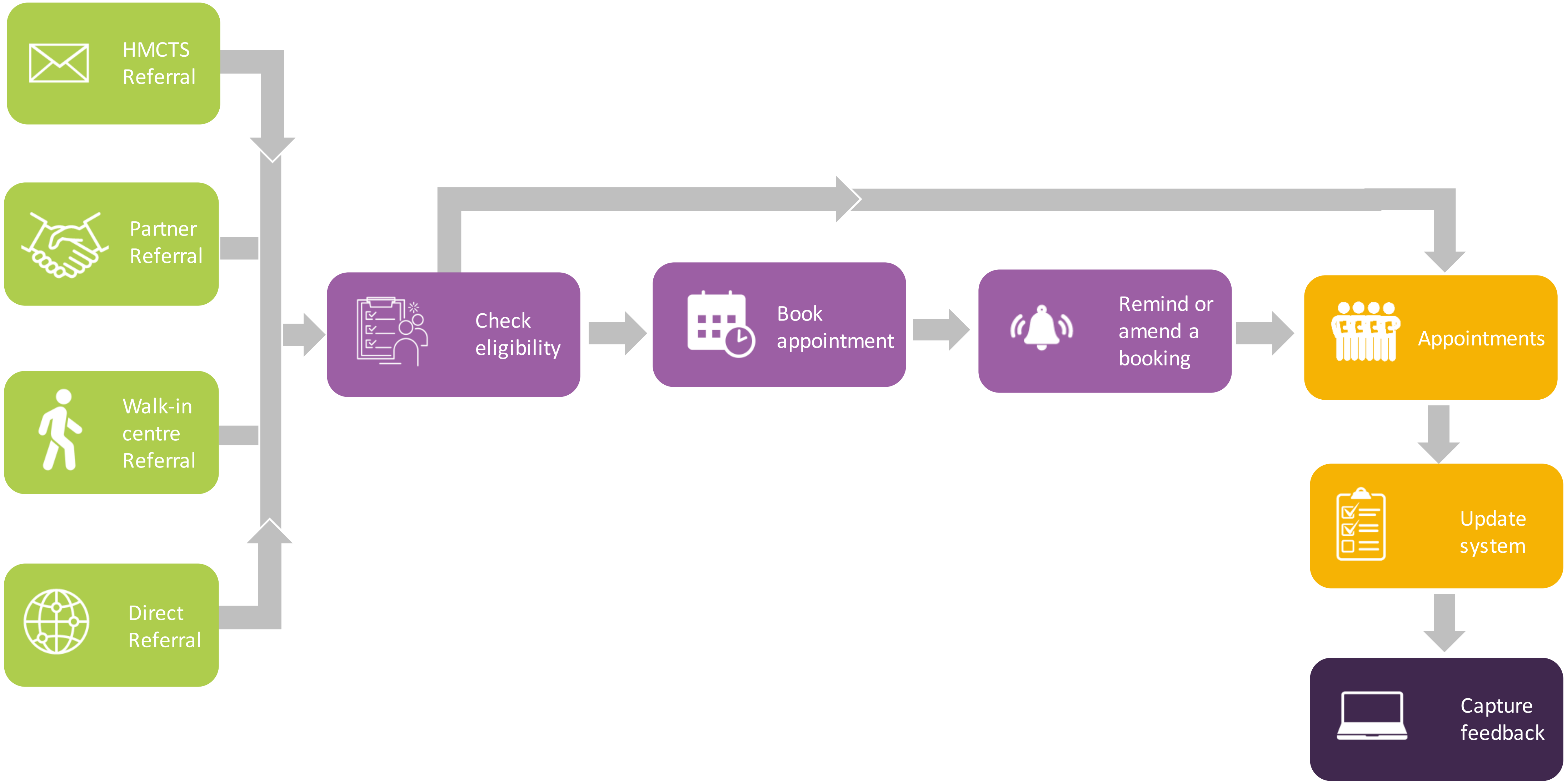
Next, they will be asked to pay if you need to (if the estate is over £5,000). And then submit your application.

Be aware that the Thank you page is not the end of the process. The next page confirms what documents you need to send to the probate registry, your reference number (so that you can be sure the document will be filed with your application), and the address to send them to.

If you have access to a printer, you can also download a coversheet for the user to send with their documents.



Delivery process



Making contact - Options

- User contacts CTSC and has a preliminary triage and then is transferred onto WAD to book in their appointment
- User walks into their nearby centre and is passed through to WAD as a user of one of the justice services. This would also cover a user calling or emailing their local centre.
- User contacts WAD directly (e.g., after viewing advertising) via:
  - National telephone line: 03300 16 00 51
  - Dedicated email address: support@we-are-digital.co.uk

Understanding the support available

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WAD check the user's eligibility and assess the type of support required:

- Access to a computer, smartphone or laptop
- Internet access (Wi-Fi, broadband)
- Email use, or ability to find something online
- Confidence in using HMCTS online services
- Friends or family members at home who can help with any additional support needs
- Any barriers that prevent the user from engaging with HMCTS online services
- User calls with a tech issue with the website – they would need to be referred to CTSC

If eligible for in-depth Digital Support, the user is booked in for face-to-face or remote support through the network.

Understanding the support available

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Booking confirmation received - User

- Email confirmation
- SMS confirmation, and a reminder before their appointment
- Or letter confirmation (if they don’t have an email address or a mobile phone)

Booking confirmation received - Network

- Booking confirmation including details and timings
- Guidance relating to the specific service being supported will be provided.
- Links to the area on the .gov website for their guidance notes
- Links to the surveys to be completed

Booking

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Arranging the appointment

We are Digital will refer users to you via your selected email address which you provided during the onboarding phase. The initial booking will be made within the timeframes you have provided for availability. The user's name and contact number will be provided within the booking email, alongside their unique ID and the type of support required.

All emails will be sent from support@we-are-digital.co.uk

Pre-appointment – Courtesy Call

Each user with a confirmed booking must receive a courtesy call within 1 working day before the planned appointment. All of the following topics are detailed in the booking confirmation email:

- Who they will be meeting with
- Where they will be meeting
- Date and Time of the meeting
- What will be covered in the session
- How long the session will last
- What to do if they are no longer able to attend

Approach

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The work we do for HMCTS will often touch on very sensitive issues, with raw emotions attached. It is therefore very important that all users are treated with respect and dignity, whilst representatives of the Digital Support service maintain a non-judgemental approach.

Some key points:

- Introduce yourself and confirm the purpose of the session
- Check the user's preferred language or communication method
- Ensure you are using an appropriate tone, to demonstrate that you are listening and that you understand what the user is saying.
- Be respectful and allow the user to tell their story
- Remain calm and show empathy
- Ask only relevant questions that add value to the Digital Support being provided
- Remain impartial
- Signposting; if the end-users raise something outside of the scope of the session, acknowledge the point and signpost them to a relevant service.

Booking types

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- **Local Centre support:** The user travels to their local centre who are trained in how to deliver Digital Support and have the systems ready to provide support.

- **Over the phone support:** Our in-house agents, can provide support and they can transfer over to partners

- **In Home support (face to face):** For users who require a home visit, WAD will arrange this via its network of dedicated trainers. If there is no trainer close to the user's location, WAD will approach the closest delivery partner to the customer's home address and request support to meet the customer's need.

- **Remote Delivery support:** Available for a user who requires support, but cannot travel to a partner centre, or does not want a home visit. WAD will arrange for remote delivery via the most appropriate platform, such as Google Meet, Microsoft Teams, or Zoom.

Submission

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Successful application

- Once support has been delivered via any of our channels, the user will be required to fill out a short “outcome” survey. The survey acts as evidence of service delivery (and proof of the duration of the support session) and it provides valuable feedback on the service experience, social impact and outcome.
- Network will be required to complete a survey stating the user’s reference number.
- An outcome is defined as complete when a HMCTS online form has been submitted, and a Partner survey form has been submitted to We Are Digital including the HMCTS Claim reference number. At this point the outcome can be submitted for payment.
- Partners should also assist the claimant to complete a user’s survey, however if the user refuses, this will not impact the case or the payment for the outcome.

Unsuccessful application

- Complete outcome survey
- User will have to call WAD and arrange further appointments

Post-appointment

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Network survey submission

Our end of session surveys (completed by every user/support worker) act as a verification that the appointment has taken place. Each user that is booked will be allocated a unique reference number in the system (sent to the user and delivery partner) and this will be replicated on the survey they complete at the end of the session.

This is how we know that the appointment has taken place and the outcome has been achieved. Surveys are handled through an online survey platform called TypeForm, from which we pull all of the data using an API

If our API doesn't find a matching survey code for the booked session code, it assumes the session has been missed and reports it as such. Follow-up reports are produced automatically and this is discussed with partners at month-end to show their activity and is linked to payments and funding.

Post-appointment

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WAD system tracks the initial booking with a bespoke customer code, and an automated API then looks for the matching survey code post-session to see if it happened. If it doesn't find a match, it is noted as a "missed" session. This links to payments and reporting for HMCTS

Athena user guide is ready to be downloaded on the following link

Safeguarding

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Accessing regional/local support, postcode finder, local specialist centres

Our call centre is experienced in dealing with people who need more than the service they are calling about or have further situational issues.

As the leading digital and financial inclusion provider to social housing, we are acutely aware that many users who call us are leading difficult lives and it is very rarely about one standalone issue.

All staff are trained on safeguarding and prevention, updated annually.

All staff are required to do monthly training modules on data security and GDPR through our online training e-learning platform, Bob's Business. Our centre network is diverse and in many cases provide this type of support.

We have found through our work delivering a debt advice service in London, that a friendly tone and a sympathetic approach to solving users' problems can have a major impact on a person's mindset and responsiveness to the call.

We also have a formal safeguarding process, and all our staff are trained on what to do with safeguarding issues, onward organisations to signpost to, including in crisis, and we ensure staff have refresher training sessions (online and in-person)

If you identify a safeguarding concern, you should follow your safeguarding procedure.

Document History

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Version	Date	Author	Change Status
1.0	26th April	Daniel McMahon	