LEGACY SOLUTIONS
Your Legacy Solutions

A GUIDE FOR THE TRUSTED PERSON

Your roles & responsibilities

Someone close to you has named you executor, trustee, beneficiary, or attorney. This guide explains, plainly, what that means and what to do next.

Your Legacy Solutions
020 8050 4201 · contact@yourlegacysolutions.co.uk · www.yourlegacysolutions.co.uk

01 · START HERE

Which role am I?

Being asked to take on one of these roles is a sign of trust — not a test. You may hold more than one at once (an executor is often a beneficiary too). Find yours below, then turn to its page for the full detail.

THE EXECUTOR

You wind up an estate

Named in a Will to carry out its instructions after death — gathering assets, paying debts and tax, and distributing what's left.

You are this if the Will names you as executor.

Look for it in: the Will itself, usually near the start.

THE TRUSTEE

You hold assets for others

Appointed to legally own and manage assets held in a trust, for the benefit of someone else, exactly as the trust deed sets out.

You are this if a trust deed or Will names you as trustee.

Look for it in: the trust deed, or a "trust" clause within the Will.

THE BENEFICIARY

You're set to receive something

Named in a Will or trust to receive money, property or possessions. Usually no duties — mainly patience and a few rights to know about.

You are this if someone has left you something.

You'll usually find out from: a solicitor's letter, or the executor directly.

THE ATTORNEY

You act while they can't

Appointed under a Power of Attorney to make decisions for someone who is still alive but has lost the ability to make them.

You are this if you're named as an attorney on an LPA.

Look for it in: the Lasting Power of Attorney document itself.

02 · THE BIGGER PICTURE

When each role begins

Nothing is asked of you until a specific moment arrives. Here's what triggers each role, and roughly how long it lasts.

Role	Begins when...	Typically lasts
Executor	The person who made the Will dies	6–12 months to administer
Trustee	The trust is set up, or the Will takes effect	Can run for years or decades
Beneficiary	You're notified by the executor or trustee	Until your inheritance is paid out
Attorney	The LPA is registered and needed — often when capacity is lost	Until they recover, or pass away

RIGHT NOW

Nothing to do yet. Keep the Will, trust deed or LPA details somewhere you can find them.

THE FIRST WEEKS

Executors register the death and locate the Will. Attorneys already acting continue to do so.

ONGOING

Estates are administered, trusts are managed, decisions get made — with proper records kept throughout.

LATER

Trusts pay out on their own timetable. Reviews keep everything current as life changes.

If you're an attorney already acting under a registered LPA, none of this waits for a death — you may already be managing bills, care decisions or property today. Everything else on this page applies once that person passes away, at which point your authority as attorney ends and any executor or trustee role takes over instead.

03 · EXECUTOR

Winding up the estate

What it legally means

The Will names you to carry out its instructions: collect everything the person owned, pay what they owed, and distribute the rest exactly as the Will says. You're legally responsible for getting this right — but you don't have to do it alone.

YOUR KEY DUTIES

✓ Register the death and locate the original Will

✓ Value everything owned and owed (the estate)

✓ Apply for the Grant of Probate

✓ Pay any Inheritance Tax and outstanding debts

✓ Distribute what remains to the beneficiaries

✓ Keep clear accounts of everything you do

COMMON MISTAKES

× Distributing before debts and tax are settled

× Missing Inheritance Tax deadlines and paying penalties

× Not keeping records — you can be held personally liable

× Acting alone on a large or disputed estate

WHEN TO GET HELP

If the estate is large, involves a business or property abroad, has debts close to its value, or beneficiaries disagree — a solicitor or probate specialist can act alongside or instead of you.

MYTH, BUSTED

"Being an executor is just a formality — I sign a form and it's done."

✓ It usually takes several months of active work, and you can be personally liable if it's done wrong.

04 · TRUSTEE

Holding assets for others

What it legally means

You become the legal owner of assets placed in a trust, but you must manage them purely for the benefit of the trust's beneficiaries, strictly on the terms set out in the trust deed. This is a fiduciary duty — the highest standard the law recognises.

YOUR KEY DUTIES

✓ Follow the trust deed exactly, without deviation

✓ Act only in the beneficiaries' best interests

✓ Keep trust money and property separate from your own

✓ Invest and manage assets prudently

✓ Keep proper accounts and file trust tax returns

✓ Act jointly and unanimously with any co-trustees

COMMON MISTAKES

× Mixing trust funds with your own money

× Favouring one beneficiary over another

× Ignoring or misreading the trust deed's terms

× Poor record-keeping or missed tax filings

WHEN TO GET HELP

Investment decisions, trust tax filings, and any disagreement between beneficiaries are worth taking to a solicitor or trust specialist — trustees can be personally liable for getting them wrong.

MYTH, BUSTED

"The trust's assets are basically mine to use."

✓ You're the legal owner, but every decision must be for the beneficiaries — never for your own benefit.

05 · BENEFICIARY

Set to receive something

What it legally means

Someone has left you money, property, or possessions in a Will or trust. Being a beneficiary usually carries no duties — but there are a few things worth knowing so the wait doesn't catch you off guard.

WHAT TO EXPECT

- ✓ The executor or trustee will contact you — you don't chase
- ✓ You may be asked for ID and bank details
- ✓ Estate distributions often take 6–12 months
- ✓ Trust distributions may follow the trust's own timetable

YOUR RIGHTS

- ✓ To see the Will once probate is granted (it becomes public)
- ✓ To be given proper information about the estate or trust
- ✓ To raise concerns about unreasonable delay

A COMMON MISCONCEPTION

"I'm a beneficiary, so I should have the money by now." Debts and tax must be settled first — that's what takes the time.

WHEN TO GET HELP

If you suspect mismanagement, unreasonable delay, or you're asked to sign something you don't understand — a solicitor can explain your options before you agree to anything.

06 · ATTORNEY

Acting while they can't

What it legally means

A Lasting Power of Attorney (LPA) lets you make decisions for someone — over property and finances, health and welfare, or both — if illness or injury leaves them unable to decide for themselves. It only takes effect once registered, and (for health decisions) once capacity is actually lost.

YOUR KEY DUTIES

- ✓ Act only in their best interests, not your own
- ✓ Follow any wishes they set out in the LPA
- ✓ Keep their money completely separate from yours
- ✓ Keep accurate records of decisions and spending
- ✓ Involve them in decisions while they're still able to

COMMON MISTAKES

- × Mixing their finances with your own
- × Acting beyond the powers the LPA actually grants
- × Making gifts larger than what's allowed
- × Acting before the LPA is registered with the Office of the Public Guardian

WHEN TO GET HELP

Selling their home, large investment decisions, or disagreement with family members are all good reasons to check in with a solicitor before acting.

MYTH, BUSTED

"I can start helping with their money as soon as they ask me to."

✓ You can only act once the LPA is registered with the Office of the Public Guardian — registration can take some weeks.

07 · TERMS WORTH KNOWING

A short glossary

Probate — the legal process, and the document (Grant of Probate), that confirms an executor's authority to deal with an estate.

Intestacy — the fixed rules that decide who inherits when there's no valid Will.

Fiduciary duty — a legal duty to act solely in someone else's best interests.

Office of the Public Guardian — the body that registers and oversees LPAs.

Letter of wishes — a non-binding note guiding how someone would like their executor or trustee to act.

Testator — the person who made the Will.

Estate — everything someone owned and owed at death.

Trust deed — the legal document setting out how a trust must be run.

Donor — the person who makes a Power of Attorney.

Inheritance Tax (IHT) — UK tax charged on estates above certain allowances.

Court of Protection deputyship — a court-appointed alternative to an LPA, needed when someone loses capacity with no LPA in place.

Codicil — a signed, witnessed amendment to an existing Will.

Not sure you're doing it right?

Whichever role you've been given, you don't have to work it out alone. Get in touch for a no-obligation conversation about what's expected of you and how we can help.

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