

Meadows Ryan joins the Weybridge Dementia Action Alliance

The WDAA help local businesses and organisations to identify changes they can make to become more dementia-friendly.



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Thank you for your support of our firm. In this newsletter we have articles on addressing the needs of vulnerable clients, the new probate fee plans and civil partnerships for siblings amongst other topics.

If you know anyone who would find this newsletter useful, please share it with them or ask them to contact us and we shall send them a hard or electronic copy.

As always, if you have any questions please do get in contact.



Meadows Ryan joins the Weybridge Dementia Action Alliance

Meadows Ryan is pleased to announce that we have joined the Weybridge Dementia Action Alliance. The WDAА is a national network with local coordinators who help local businesses and organisations to identify changes they can make to become more dementia-friendly.

As part of our drive to improve our services for vulnerable clients, we have joined the Weybridge Dementia Action Alliance. Currently around 16,252 people live with dementia in Surrey. With thousands of families and friends acting as carers for them, it has become both a social and financial imperative to support people living in their own local communities.

A recent Alzheimer's Society report revealed that 28% of people living with dementia said they had had to give up activities such as shopping, exercise and using transport as their communities were not sufficiently dementia-friendly.

Many forward-thinking businesses have begun to make changes in how they interact with their ageing customer base to reduce attrition rates, increase customer loyalty and attract new customers.

What's more, the public attitude towards dementia is changing too - 47% of people think that dementia-friendly areas would be nicer places for everyone to live in.

Addressing the Needs of Vulnerable Clients

It is a vital aspect of the Private Client field that vulnerable clients receive a high quality service with the compassion and understanding that is required in the circumstances. To this end, there are numerous things that must be considered when assisting the vulnerable, which vary greatly from case to case.

It is important that a Private Client practitioner has a robust policy for assisting and carrying out their duties with respect to vulnerable clients that is fit for purpose and enables us to properly meet the needs of those we help. There is much in the way of official guidelines that can assist in the proper provision of services to vulnerable people, however a large part of successfully identifying and helping those with specific needs comes from experience.

At Meadows Ryan we follow guidelines and update our practice regularly to ensure that we are providing the best and most compassionate service for our vulnerable clients. Our experience in assisting those with specific needs has come from years of practice and we are able to help even those in the most difficult of circumstances.



In brief

Guardianship for missing persons - New powers to address the serious financial consequences of a family member going missing will come into force in July this year. Under the current regime, in the event that a person goes missing, they are assumed to be alive unless the contrary is proven. Under the proposal relatives will be able to apply for guardianship status to deal with the missing person's finances on their behalf until they have been found.

Civil Partnerships for Siblings? - A private members bill has been introduced to allow cohabiting siblings to enter into civil partnerships. This bill, tabled by Lord Lexden, follows the recent

promise by the government to allow opposite sex couples to form civil partnerships, which were previously only available to same sex couples. This proposition, although unlikely to be made law, would have significant benefits to inheritance tax planning between siblings.

Court of Protection publishes guidance for new attorneys - The Court of Protection, in recognition of the difficulties faced by new attorneys has released a series of advice papers. The role of attorney is one of vital importance that should be taken seriously, and these papers should go some way towards assisting to that end.

Lords Criticises new Probate Fee Plans as 'Stealth Tax'

The Government has recently reintroduced plans to dramatically increase probate application fees in England and Wales. The plans to replace the current fee of £215 regardless of the size of the estate to a scaled fee up to £6,000 on the highest value estates have been met with severe criticism by the House of Lords Secondary Legislation Scrutiny Committee who have claimed that the proposed fee would fall foul of taxation laws. Despite this, the proposed changes have now passed a House of Commons Delegated Legislation Committee vote in favour of progressing to the Commons for approval by nine votes to eight. This means that the only barrier to their implementation will be a formal approval by the House of Commons, which is yet to be scheduled but will likely take place in April.

Although the change will increase probate fees for the

majority of those concerned, estates worth less than £50,000 will pay nothing. The bracket which currently contains 80% of all estates, between £300,000 and £500,000 will pay £750, which is an increase of 249% over the current fee.

Fees will be £2,500 for estates between £500,000 and £1 Million; £4,000 for those between £1 million and £1.6 million; £5,000 for estates between £1.6 million and £2 million; and £6,000 for estates worth more than £2 million.

In addition to the criticism from the House of Lords, the Society of Trust and Estate Practitioners' Chief Executive George Hodgson has given a damning indictment of the changes, arguing that the disparity in fees based on the value of the estate bears no correlation to the amount of work needed, and thus should be considered a tax rather than a fee.

Proposal for Civil Partnerships for Siblings

A private members bill has been introduced to allow siblings to enter into civil partnerships. This bill, tabled by Lord Lexden, follows the recent promise by the government to allow opposite sex couples to form civil partnerships, which were previously only available to same sex couples.

The rationale behind the bill is that civil partnerships now constitute a legal recognition of a "close mutually supportive relationships outside traditional marriage" and that a cohabiting sibling relationship would fit that description. As it currently stands, siblings who live together for a long period of time have no automatic rights with regard to inheritance. The bill is intended to address that, and would allow someone who survives their long-term cohabiting sibling to inherit their estate without payment of inheritance tax, which can often force the surviving party to sell a shared property. It would also confer greater rights in the event that the sibling died without a valid will. The option to enter such a civil partnership would be available only to siblings over the age of 30 who had cohabited for at least twelve years, and so would be applicable in only very particular circumstances.

The bill, as a private members bill, is unlikely to make it into statute, however it opens an interesting and important debate on the ability of platonic cohabittees to recognise their status and avoid the potentially devastating impact of an unmitigated inheritance tax burden.





The Importance of Probate Professionals

Whilst it may seem financially prudent to attempt to administer an estate without the benefit of professional advice, it comes with significant risks. What may appear at first glance to be a simple administrative task can quickly illuminate issues that could not be foreseen.

The administration of a loved one's estate can be extremely stressful, involving numerous lengthy and burdensome tasks that can compound the already emotionally fraught process. Appointing a professional to advise on and administer the estate provides you with a dedicated and experienced advocate who will be able to navigate the process for you, allowing you time and distance to properly deal with the emotional aspect. Not only will a professional advisor be able to assist with many tasks that the lay executor would struggle with, but will also know exactly

what needs to be done and when, saving you the risk of a costly and stressful claim against the executor, either in incorrectly calculated taxes or from a potential beneficiary.

Administration of an estate is unfortunately a lengthy and confusing process, and if done incorrectly can be extremely expensive too. It is always wise to give yourself the additional peace of mind and gain as much assistance with the process as possible. A skilled and experienced probate professional will act with your best interests in mind and carry out their brief with compassion and understanding. Unfortunately this is not an assurance that can be made by banks, insurance firms or the HMRC. The value of having someone on your side to deal with these third parties on your behalf at this difficult time cannot be understated.

Guardianship (Missing Persons) Act comes into force

In July of this year the Guardianship (Missing Persons) Act 2017 (also known as Claudia's Law after Claudia Lawrence, who went missing in 2009) comes into force, and will allow relatives of untraceable persons to apply for a court order to manage their financial affairs.

Affecting only those in England and Wales, the Act was brought to Parliament in response to a consultation aiming to address the serious financial consequences of a family member going missing. Under the current regime, in the event that a person goes missing, they are assumed to be alive unless the contrary is proven. This means that any person

dependent on financial contributions from this person is left without recourse to necessary funds and are unable to pay off the debts of the missing person in their absence. Further, any automated payments will continue to be taken from the missing person, resulting in their accounts being depleted of funds once they have been found.

The Act will confer guardianship status on relatives, giving them the power to "stand in the shoes" of the missing person, and ensure that the emotional turmoil of a family member going missing is not compounded by severe financial consequences.