Executors, Probate & What Happens Next

What has to happen first, what an executor really does, and how to make it simpler for the people you leave behind.



Acting as an executor is a responsibility most people take on only once. In the first three months of 2026, more than 65,000 families applied for probate in England and Wales, according to the Ministry of Justice.

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About Edge Legacy Planning

Edge Legacy Planning is a will-writing and estate-planning firm. We are not solicitors and we are not regulated by the Solicitors Regulation Authority. This guide is general information based on the law in England and Wales as at September 2026. It is not legal, tax or financial advice, and your circumstances may differ.

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THE STARTING POINT

A practical guide to an unfamiliar role

Acting as an executor is a responsibility most people take on only once, usually at a difficult time and without any previous experience of what the role involves.

This guide explains what has to happen in the first few weeks, what being an executor actually involves, how probate works and what it costs, and where estates most often become complicated.

Almost everything that makes an executor's task difficult can be made easier in advance by the person writing their will, so if you are reading this while considering your own affairs, the final pages will be most useful. This guide covers England and Wales; Scotland and Northern Ireland operate differently.

THE FIRST FEW WEEKS

What has to happen, and in what order

Most of what needs doing in the early days is administrative rather than legal, and nothing about probate itself needs to be rushed in the first few weeks.

Key Figures: A death must be registered within 5 days in England and Wales. Since September 2024 that period runs from when the register office receives the medical certificate, not from the date of death itself.

How do you register a death now?

Every death in England and Wales is now reviewed independently before it can be registered, either by a medical examiner, who is a senior doctor not involved in the person's care, or by a coroner. The medical examiner will usually speak to the next of kin, then send the certificate to the register office, and the five days run from that point. Where a coroner is involved, the timing works differently and the registrar will explain what happens.

What is the Tell Us Once service?

When you register the death, the registrar will usually offer Tell Us Once, a free government service that reports the death to most public bodies at the same time, including HM Revenue and Customs, the Department for Work and Pensions, the Passport Office, the DVLA and council services. It doesn't cover banks, insurers, utilities or private pensions, so those still need contacting individually.

What else needs doing early?

Arrange the funeral, and keep the invoice, because reasonable funeral costs come out of the estate and most banks will release money to pay it before probate. Find the will and check who the executors are. Then start a list of what the person owned and owed, with the paperwork to match. That list becomes the backbone of everything that follows.

THE EXECUTOR'S ROLE

What you're actually taking on

An executor, or personal representative, collects in what the person owned, settles what they owed, deals with any tax, and passes on what's left according to the will.

Key Figures: A will can name any number of executors, but no more than four people can take out a grant of probate for the same estate.

What does an executor actually do?

In practice the work falls into stages: valuing the estate, telling the organisations involved, applying for probate if it's needed, settling debts and any Inheritance Tax, then distributing what remains and keeping a record of it all. Executors are entitled to reclaim reasonable expenses from the estate, though not to be paid for their time unless the will says so.

Can an executor be held personally responsible?

Yes, and it is worth understanding the position. An executor can be held personally responsible if the estate is handled incorrectly, for example if money is paid out to beneficiaries before debts and tax have been settled. There is a long-standing protection: by placing formal notices for creditors in The Gazette and in a local newspaper under section 27 of the Trustee Act 1925, and waiting the required two months, an executor limits their liability to creditors they didn't know about. It doesn't remove the duty to make proper checks, and it doesn't cover debts already known.

Can you say no, or step back?

Yes. An executor who hasn't already started acting can renounce the role entirely, or can have what's called power reserved, which means stepping back for now while keeping the right to act later if needed. Power reserved is often the better route where someone is willing in principle but another executor is doing the work.

PROBATE ITSELF

What it is, what it costs, how long it takes

Key Figures: The application fee is £526 for estates over £5,000, with no fee below that. Grants took a mean average of five weeks from application in early 2026, according to the Ministry of Justice, though the government still advises allowing up to twelve weeks.

What is probate and when is it needed?

A grant of probate is the document that proves an executor's authority to deal with the estate. Where there is no will, the equivalent is called letters of administration, and the right to apply follows the order set by the intestacy rules. Whether you need a grant depends on what the estate holds rather than what it's worth. Assets owned jointly usually pass to the survivor without one, and banks will often release smaller balances without it, though every bank sets its own limit and none of those limits are set by law.

How do you apply, and how long does it take?

Most applications are now made online, which accounted for more than nine in ten in early 2026, with paper forms as the alternative. Straightforward digital applications were typically granted in around two weeks. Applications that get stopped, usually because of a query about the will, a mismatch with the death certificate or with the figures given to HMRC, took around fourteen weeks. Applications for letters of administration take longer again.

How much does probate cost?

The application fee is £526 where the estate is over £5,000, and nothing at or below that. Extra copies of the grant, which you'll want several of, cost £2 each when ordered with the application and £16 each afterwards. Professional help, if you use it, is charged separately by whoever you instruct.

VALUING THE ESTATE AND INHERITANCE TAX

The numbers side

Before probate can be granted, the estate has to be valued and any Inheritance Tax dealt with. This is the part executors most often want help with.

Key Figures: Everyone has a tax-free allowance of £325,000, plus up to £175,000 more where a home passes to children or grandchildren. Both are frozen until 5 April 2031.

How do you value an estate?

Every asset is valued at its open market value on the date of death, and debts are deducted. Property usually needs an estate agent's or surveyor's valuation, and individual items worth more than £1,500 may need a professional one. It's worth being careful here, because HMRC can query a valuation long afterwards.

Is there Inheritance Tax to pay, and when?

Most estates pay none. Many qualify as what HMRC calls excepted estates, where no full account is needed and the figures simply go on the probate application. Where tax is due, it must be paid by the end of the sixth month after the month of death, and usually before the grant is issued. There are two ways around the awkwardness of paying tax before you can access the money: banks can pay HMRC directly from the deceased's accounts, and tax on property can be spread over ten annual instalments.

What is changing in 2027?

From 6 April 2027, most unused pension funds will count towards Inheritance Tax, and it will be the personal representatives, rather than the pension scheme, who are responsible for reporting and paying it. Anyone writing a will now, or likely to act as an executor in future, should know this is coming. Our separate guide covers the change in full.

WHERE THINGS GO WRONG

And how to make it simpler

Most estates are settled without difficulty. Where they aren't, the causes are strikingly consistent, and nearly all of them trace back to decisions made, or not made, before the death.

Key Figures: Around half of UK adults have not made a will, according to research by Canada Life, and more than a quarter of over-55s have none in place.

What happens if there is no will?

The intestacy rules decide, in a fixed order. Where someone leaves a husband, wife or civil partner and children, the surviving partner receives the personal possessions, the first £322,000 and half of what remains, with the children sharing the rest. An unmarried partner inherits nothing automatically, however long the relationship. Somebody still has to administer the estate, but they apply for letters of administration, and the process is usually slower.

What tends to cause delays?

A will nobody can find. A will written years ago that no longer matches the family. Home-made wills with wording that isn't clear. Accounts and policies nobody knew existed. Digital accounts nobody can access. Executors who don't get on, or who live abroad. Individually none of these is serious, but each one adds weeks to the process.

NEXT STEPS

How Edge can help

1. A clear, up-to-date will. Properly drafted, so your executors aren't left interpreting it, and reviewed when your life changes.
2. Lasting Powers of Attorney. Registered and ready, so that if capacity is lost before the end of life, someone you trust can act without a court application.
3. Choosing and briefing your executors. We talk through who should take it on, how many to appoint, and what they'll need to know, including where the will is kept and what the estate contains.

We don't apply for probate or administer estates. If that's what you need, a probate specialist or solicitor is the right person, and we can point you towards one. What we can do is make sure that when the time comes, your own executors have a clear will, a tidy picture of your affairs and far less to work out for themselves.

Get in touch: 01883 723310

Visit our website for more information: https://edgelp.co.uk

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