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BOSP

Brighter Opportunities
for Special People

YOUR GUIDE TO MAKING A WILL & LEAVING A GIFT TO BOSP

**Improving the lives of children and young people
who have complex disabilities or
life limiting conditions**

The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon SS16 4UH

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www.bosp.co.uk

This document is a step-by-step guide to making or updating your will. This is only a guide and does not constitute legal or tax advice. We recommend that you seek professional advice from a solicitor when making or updating your will to ensure a full understanding of legal and associated tax matters.

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For further information please contact us on 01268 553117 or email enquiries@bosp.co.uk

What are wills for?

For most people, our will is one way of looking after the people we care about. Our partners, sons and daughters, grandchildren, brothers, sisters, nieces, nephews and perhaps a good friend or two... We leave something to them in our wills because we want to do all we can to make sure they are ok when we are gone.

Gifts in wills

A gift in your will is an extra way of looking after the people we care about and sometimes we want to leave things to people we have not met but want to help.

You may wish to leave a gift for BOSP because you recognise how tough and socially isolating it must be for children and young people living with a complex disability or a life limiting condition and know how vital it is that parent carers receive respite, so they can continue in their caring role.

Leaving BOSP a gift in your will is one of the most valuable and lasting ways that you can support us. Your gift can help make sure we can be there for the children and young people with disabilities, ten, twenty, thirty years from now.

These gifts come in all shapes and sizes. Big ones, small ones and right in the middle ones. £200, £3,000, £20,000, 1% of an estate, 20%, even 100%... Or anything left over after gifts have been made.

Where there's a will....

Legacies are the heart of the funding of the BOSP Charity. We are eternally grateful to those who think of us in this way. Gifts to Charity are tax free, so you may also reduce the amount of Inheritance Tax due on your estate. Couples may provide a gift to take effect on the death of the surviving spouse. We recommend that you consult your Solicitor when deciding to make a will, or when amending your present will

For over 30 years, BOSP has been a lifeline to families who have a child or young person with a disability or life limiting condition by providing high quality activities with full care. The fun clubs, both hall based and out and about in the community, develop confidence, self-esteem, mental well-being and independence in the young people, and prevent crisis in the home by providing much needed respite for parents and siblings.

"A gift of just 1% will make a real difference"

A Gift in your will, no matter what its size, will allow us to make a life-changing difference for future generations that need our support. If BOSP is to continue helping the most vulnerable and excluded in society, it is vital that our supporters continue to remember us in this special way.

Parent Testimonial

"BOSP was amazing before Covid but during the pandemic they were there for us at the end of the phone, providing support for our daughter at home, making every effort to get respite up and running safely as soon as they could. But they went further, listening to our concerns and responding to our needs. They rapidly developed a weekday service to support tired families when their children couldn't go back to school"

Making or updating your will

Whatever you leave when you die is called your estate. This is everything you own, including your share of things you own jointly, minus everything you owe. It may include money, property and belongings.

A will is a legally binding document that includes your instructions for what you would like to happen to your estate after your death. It gives directions about your finances and personal belongings. It may also include instructions for funeral plans and, if relevant, details of who will look after young children.

An up-to-date, professionally written will is incredibly important. It's the only way to ensure your wishes are carried out after you die and that your loved ones are provided for in the way you want them to be.

If you die without making a will, you are called an 'intestate person' and the law decides who inherits your estate. This may not be the way you would like to leave your money and possessions.

Your property, money and belongings would be shared out according to the statutory rules of intestacy. These rules are very strict on who inherits an estate and don't, for example, provide for unmarried partners or stepchildren.

Making or updating your will may be easier and more affordable than you think. This step-by-step guide will help you prepare for a meeting with your solicitor.

Depending on where you live, the rules that apply to wills will be slightly different. Your solicitor will explain how these rules might affect your will. They will also explain who will inherit your estate if you die without a will.

You have to be at least 18 in England, Northern Ireland and Wales, or 12 in Scotland, to make a will.



Seven simple steps to making your will

All of us need to make a will to provide for loved ones after we've gone and to make sure our wishes are carried out. Otherwise, promises you have made may not be carried out, your wishes may be disregarded, and you may leave your loved ones with legal and financial problems to sort out.

The following steps will help guide you through the process. Use this will planner to note down key information about your assets and your wishes before visiting a solicitor.

Please note that due to different legislation regarding probate, this will planner is not suitable for use in the Channel Islands.

1. Choose the executor(s)

Firstly you need to think about who you would like to administer your will as executor(s). You can nominate a partner, close friend, or a solicitor. People usually choose two executors, but you can have up to four if considered appropriate. Please note that there is no restriction on an executor being a beneficiary of your will.

2. Guardians for young children

If you have children under 18 (under 16 in Scotland) or pets, it is important to choose and ask a guardian to look after them in the event of your death.

3. What do you own?

Make a note of your assets and calculate their approximate value. The value of your estate will be your assets minus any outstanding money owed e.g. mortgage, loans etc.

4. How do you want to leave it?

Make a note of who you would like to receive your property. There's no limit to the number of different gifts you can make. Once you have provided for your loved ones, you could also consider making a gift to charity to transform the lives of people in need in the future. Even a very small percentage of your estate could make a real difference. Your solicitor or other professional adviser will help you with the wording of your gift, but if you want to leave a gift to the BOSP, here is an example of some wording you might use:

For a residuary gift:

(I give the whole) or (I give _____%) of the residue of my real and personal estate to BOSP, Charity Number 1107392 (Registered in England and Wales) Company No. 5284004, The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon, Essex SS16 4UH), for its general charitable purposes and I declare that the receipt of the Treasurer or other proper Officer for the time being shall be a sufficient discharge to my Executors/Trustees.

For a pecuniary gift:

I give, free of inheritance tax, the sum of _____ to BOSP, Charity Number 1107392 (Registered in England and Wales) Company No. 5284004, The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon, Essex SS16 4UH for its general charitable purposes and I declare that the receipt of the Treasurer or other proper Officer for the time being shall be a sufficient discharge to my Executors/Trustees.

5. Meeting the solicitor

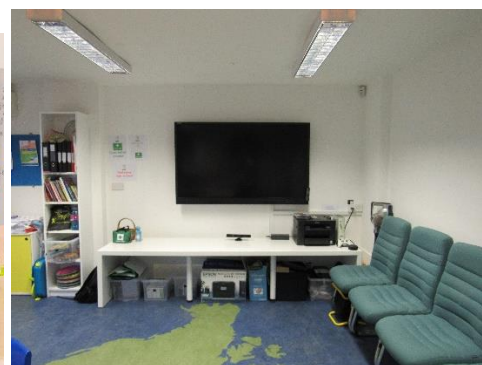
Take this completed will planner with you when you meet your solicitor. Your solicitor will discuss your instructions and advise on how best to word the will. If you do not have an executor, your solicitor can also arrange this for you. If your estate is large, your solicitor will also advise whether you need to make additional arrangements for tax planning and will advise you of the costs.

6. Approving your will

When drafted, your will should be sent to you to look over for approval. Any changes can be made at this point. Once you are happy with the document, your solicitor will ask you to sign it in the presence of two witnesses at the same time. Please note that beneficiaries cannot witness your will.

7. Keeping your will safe

You can keep your will at home or your solicitor may offer to hold it for you. Don't forget to make sure it is safe and to let your family know where it is.



Simple Will Planner

Prepare for your meeting with your solicitor by completing this simple checklist.

Your name and address	
Your partner's name and address (if different from your own)	
Your executors These are the people who will ensure everything happens. You can have up to four executors. They could be friends or family or a solicitor. Make a note of their full names and addresses.	
Children's full names and addresses (if different from your own)	
Guardian's full name and addresses (If you are appointing a guardian for your child). Remember to discuss your wishes with the people you wish to appoint to make sure they agree.	
Funeral Instructions	
Care of my pet(s)	
Care of my dependant relative	

Make a list of your assets

It's surprising how the value of your home and possessions can add up. In this section below, make a list of everything you own and make a note of its approximate value.

Completing these will only take a few minutes, help you work out the value of your estate and will save you time when you are with a solicitor.

In the second section, think about what you owe and make a note of your liabilities.

Deduct total B from total A and the result is the total net value of your estate.

What is the value of your major assets	£
Your home (or share in it)	
Other property and land	
Cars and other vehicles	
Home contents including furniture and fittings	
Items of particular value (e.g. jewellery/art)	
Money in banks and building societies	
Shares, investments, national savings, premium bonds	
Insurance and pensions	
Other savings and assets	
A: Total assets	

What are your major liabilities?	£
Your mortgage	
Loans and overdrafts	
Your credit cards	
Credit or HP agreements	
Other liabilities	
B: Total liabilities	

Total assets (A) minus total liabilities (B) = total estate value	£
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Please note: Property and assets abroad may need to be covered by a will in that particular country. To be sure, consult a solicitor.

Who do you want to remember in your will?

Make a list of the family and friends you would like to benefit in your will and think about what you would like them to receive. You will need to decide what you would like to give each person whether it should be a specific item, an amount of money or a % share from your estate.

Once you have provided for your loved ones, you may want to consider supporting your favourite cause. You can give a percentage of what's left of your estate or a specific sum of money. Legacies left to charities can make a vital difference.

Name	Address	% share	Amount £	Specific Item
BOSP Charity No. 1107392 Registered in England and Wales	The BOSP Office Wat Tyler Country Park Pitsea Hall Lane Pitsea, Essex, SS16 4UH			

Making changes to your will

Should I use a solicitor?

We recommend you use a solicitor when making or updating your will. This ensures all legal procedures are followed. The process needn't be lengthy or expensive, but don't be afraid to shop around or ask for a quote.

Wills can be made face to face with a solicitor or over the phone. After your first call or meeting with a solicitor, he or she should arrange a follow up appointment to check your will has been written how you want it to be. You will then need to sign it with two witnesses present.

The witnesses must also sign the will to be valid.

A codicil

A codicil is a supplement to a will that makes changes and allows additions to be made. Many charities produce these forms to make it easier to add a gift to your will.

A copy of a codicil form is enclosed in this document.

However, for some people, creating a new will may be the best way to make changes.

Adding a gift to your will using a codicil

If you would like to add a gift to BOSP (Brighter Opportunities for Special People) in your existing will, you can easily do so by using a codicil. A codicil is a supplement to a will that can make changes or amends and allow additions to part of that will.

Simply complete the attached codicil form, sign it in the presence of two witnesses, and keep it with your existing will (see next page for solicitor approved 'signing instructions').

If you have made more than one will, it is important to ensure that this codicil relates to your most recent will. It is also important, to avoid confusion, to identify clearly whether this is the first codicil to your will, second, third and so forth.

We particularly recommend that you consult a solicitor if your will already has a codicil(s). We also advise you to seek legal advice if you are making substantial changes to your will, for example leaving a gift of residue (i.e., leaving what is left in your estate to someone after specific gifts have been given to beneficiaries).

Creating a new will is the best way to avoid any errors or disputes if you are looking to modify your existing will. Should you require any further information, please contact BOSP on 01268 553117 or email enquiries@bosp.co.uk All enquiries will be treated in confidence.

BOSP and its employees are not qualified to give legal advice. If you are worried about how best to draft a will or codicil, we do recommend you obtain professional advice from a solicitor with experience in wills and probate.

How to complete a codicil

Following these instructions carefully will help to make sure that your codicil is not invalid in any way.

Please ensure that you sign the codicil form in the presence of two independent witnesses.

No beneficiary or executor of your will (or anyone who is married to, or in a civil partnership with, a beneficiary or executor) can be a witness.

Witnesses do not have any right to see what is in the codicil unless you choose to show them.

1. Date the bottom of the codicil form.
2. Sign your name in the presence of the two witnesses. Ask them to sign and write their names, addresses and occupations on the codicil. All of you must be present while each of you signs.
3. Keep the codicil in a safe place with, but not attached to, your current will.
4. Send or give a copy of the will and codicil (in a sealed envelope, if you prefer) to your executor or a trusted friend. Indicate with a note where the originals are held. It is important that the original will and codicil are kept together and that those who have a copy of your will also have a copy of the codicil. This will minimise the potential for later confusion.

A copy of a codicil can be found at the end of this document

Finding a solicitor

To find a local will and probate solicitor in England and Wales, contact The Law Society on 0207 242 1222 or visit lawsociety.org.uk

In Scotland, contact The Law Society of Scotland on 0131 226 7411 or visit lawscot.org.uk

In Northern Ireland, contact The Law Society of Northern Ireland on 0289 023 1614 or visit lawsoc-ni.org

To find out if you qualify for legal aid to help make a will, ask the solicitor you have chosen.

Inheritance tax

Leaving a gift to charity in your will can provide both moral satisfaction in knowing that your support will live on after your death but can also reduce the amount of inheritance tax that may be payable on your estate as charitable legacies are exempt from inheritance tax.

Charitable Legacies

If you leave a gift to a charity in your will (known as a charitable legacy) it will be deducted from your estate before the amount of inheritance tax is calculated. If you are planning to leave 10% or more of the net value of your estate, it is essential you seek professional advice.

For advice on saving inheritance tax, speak to your solicitor when making your will or, if you prefer, a financial adviser. See below for some organisations that can help.

Useful organisations

The Law Society The Law Society's Hall, 113 Chancery Lane, London WC2A 1PL Tel 020 7242 1222 www.lawsociety.org.uk	The Law Society of Scotland 26 Drumsheugh Gardens, Edinburgh EH3 7YR Tel 0131 226 7411 www.lawscot.org.uk
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Glossary of legal terms

When it comes to making or amending your will, you may come across some legal jargon. This should help you to make sense of it all.

Administrator: Someone who is appointed to arrange a person's affairs if they leave no will.

Beneficiary: An individual or organisation who receives a gift in a will.

Bequest (legacy): A gift left in a Will. It can be:

- **Specific:** A definite object or property
- **Pecuniary:** A gift of a particular sum of money
- **Residuary:** A gift of money or assets left when other legacies and expenses have been paid. It is normally expressed as a part or percentage of the residue of your estate.

Codicil: An addition or amendment to an existing will.

Chattels and moveables: Personal possessions, including furniture and car.

Estate: The total value of everything you own at your death, less any outstanding commitments.

Executor: The person or people you choose to make your will happen. They can be a relative, a friend or your solicitor.

Guardians: The people chosen by parents to look after their children in the event of their death.

Inheritance tax: a tax on the estate (the property, money and possessions) of someone who's died.

Intestate: You are intestate if you die without making a will.

Legacy: A gift left to a person or organisation in a will.

Life interest: A two stage legacy, where the first beneficiary is given the use of an asset (e.g. a house) during their lifetime. After their death the asset passes to the second beneficiary.

Probate: The legal procedure to decide whether someone's left a valid will.

Residue: The sum left from an estate when all debts, charges and gifts are deducted.

Testator (male) or testatrix (female): The person who is making the will.

Trust: An arrangement you can make in your will to administer part of or all your assets after your death.

Any Questions?

Now that you have started to think about making your will you may have additional queries. List any questions you might like to discuss with your solicitor on a separate sheet and keep these together with your will planner. We have listed some frequently asked questions below.

Q. Why do I need to make a will?

A. All of us need to make a will to provide for loved ones after we've gone, and to make sure our wishes are carried out after our deaths. Otherwise promises you have made may not be carried out, your wishes may be disregarded, and you may leave your loved ones with a legal and financial mess to sort out.

Q. I already have a will, so why should I change it?

A. There are many reasons why you may need to look at your will every few years to ensure it still meets your needs. For example, your marital and family circumstances may have changed – in which case it could be vital to change your will to protect your loved ones. You may also simply change your mind about whom you want to benefit. Fortunately it isn't difficult or expensive to change your will with a codicil.

Q. How do I go about making or changing my will?

A. The first step is to talk to a solicitor who can help you draw up your will or change your existing will. One simple way of changing your will is to use a codicil – an additional instruction that you can add to your existing will. To help you, we have made a codicil that you can download from our website. Once completed, the codicil must be kept in a safe place together with your will.

Q. How will a gift to BOSP affect my tax position?

A. Anything you leave over the inheritance tax threshold is taxed at 40 per cent. But anything you leave to a registered charity like BOSP is not taxable, which means that your loved ones could have their tax bill reduced.

Q: What wording should I use to leave a gift to BOSP?

A: Your solicitor or other professional adviser will help you with the wording of your gift, but here is an example of some wording you might use:

For a residuary gift:

(I give the whole) or (I give _____%) of the residue of my real and personal estate to BOSP, Charity Number 1107392 (Registered in England and Wales) Company No. 5284004, The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon, Essex SS16 4UH), for its general charitable purposes and I declare that the receipt of the Treasurer or other proper Officer for the time being shall be a sufficient discharge to my Executors/Trustees.

For a pecuniary gift:

I give, free of inheritance tax, the sum of _____ to BOSP, Charity Number 1107392 (Registered in England and Wales) Company No. 5284004, The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon, Essex SS16 4UH for its general charitable purposes and I declare that the receipt of the Treasurer or other proper Officer for the time being shall be a sufficient discharge to my Executors/Trustees.

We're here to help

We are happy to help and answer any general questions you may have about wills, legacies or BOSP, but we are not qualified to give legal advice.

Contact us: Jodie Connelly, Chief Executive Officer
BOSP (Brighter Opportunities through Supported Play)
Tel: 01268 553117

If you have put a gift in your will, we would love to hear from you

It doesn't matter if it's small or big. Just knowing that people want to help in this way is so helpful because we depend on gifts in wills to support us we would also really like the chance to say thank you, though if you prefer we didn't, that's fine too.

I've put a gift in my will to BOSP

I'm thinking about _____

Disclaimer

We make every effort to ensure that the information we provide is accurate and up to date but it should not be relied upon as a substitute for specialist professional advice tailored to your situation. So far as is permitted by law, BOSP does not accept liability in relation to the use of any information contained in this publication, or third-party information or websites included or referred to in it.

Thank you once again for considering leaving a gift to BOSP

Codicil

I (full name) _____

Of (full address) _____

_____ Post code _____

declare this to be the 1st / 2nd / 3rd / 4th / other _____ codicil to my will dated and made

(day / month / year) _____ (*date of original will*)

I give free of inheritance tax, the sum of £ _____ to BOSP, Charity Number 1107392 (Registered in England and Wales) Company No. 5284004, The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon, Essex SS16 4UH for its general charitable purposes and I declare that the receipt of the treasurer or other proper officer for the time being shall be a sufficient discharge to my executors / trustees.

In all other respects I confirm my will and any other codicils thereto.

Signature _____ Date _____

Signed by the aforementioned in our presence and witnessed by us in the presence of him / her and of each other.

Witness One

Name: _____

Address: _____

Postcode: _____

Occupation: _____

Signature: _____

Date: _____

Witness Two

Name: _____

Address: _____

Postcode: _____

Occupation: _____

Signature: _____

Date: _____