

## Passing on your wealth.

Helping you create confidence in your financial future

## We're here to help you build a better financial future

Access to your financial information when you want it





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# Families and finance. Helping you pass on your wealth tax efficiently.



## Family and Finances

Helping families have conversations about their financial wellbeing

- Proprietary research
- Conducted in association with Opinium
- Interviewed 1,009 UK parents aged 60 and above
- Interviews were conducted 27th October to 3rd November 2020

We want to encourage families to discuss money more openly, create better awareness and give them the confidence to fully engage with each other about their financial lives and estate planning.

#### Key findings





## Preparation is everything





Your will = your wishes

#### CPD CERTIFIED The CPD Certification Service



## What happens if you don't leave a will?



#### The rules of intestacy in England, Wales, and Northern Ireland



#### Schroders personal wealth

Source: Professional Trustee UK Trust Centre, Lloyds Bank Private Banking, September 2021

## What happens if you don't leave a will?



#### The rules of intestacy in Scotland



#### Schroders personal wealth

#### Source: Beyond.life accessed 14 April 2021

### What is inheritance tax (IHT)?

## IHT is a tax on the estate of someone who has died, including all property, possessions and money

There is normally no tax to be paid if:

- The value of your estate is below the Nil Rate Band (NRB) of £325,000, or
- You leave everything above the threshold to your spouse or civil partner, or
- You leave everything above the threshold to an exempt beneficiary such as a charity

If the value of your estate is above the NRB, then the part of your estate above the threshold might be liable for tax at the rate of 40%.

If you elect not use the nil-rat band (to leave your entire estate to your spouse or civil partner), your nil-rate band can be added to theirs. When the second partner dies, their estate could benefit from a nil-rate band of £650,000.



Example:	
Value of estate	£625,000
IHT threshold	£325,000
Taxable estate	£300,000
Tax @ 40%	£120,000

Tax treatment depends on the individual circumstances of each client and may be subject to change in the future.

## The main residence nil-rate band

#### An additional allowance when passing on your home

- The main residence nil-rate band (RNRB) is an additional allowance for parents passing on their main residence to their children where their estate is worth more than the nil rate band (£325,000 in the tax year 2020-21).
- In the tax year 2020-21 it is an additional £175,000 and increases in line with the Consumer Prices Index for future tax years from 2021-22 onwards.
- Any unused nil-rate band will be able to be transferred to a surviving spouse or civil partner.

- The additional nil-rate band will also be available when a person downsizes or ceases to own and assets of an equivalent value, up to the value of the additional nil-rate band, are passed on death to direct descendants.
- Limited to one main residential property but personal representatives will be able to nominate which residential property should qualify if there is more than one in the estate. A property such as a buy-to-let property, will not qualify.
- A direct descendant will be a child (including a step-child, adopted child or foster child) of the deceased and their lineal descendants.



## Ways to potentially reduce IHT

There is no right way or wrong way to mitigate IHT.

It is down to your own personal circumstances and family situation.





Tax treatment depends on the individual circumstances of each client and may be subject to change in the future.

## The parties involved in setting up and managing a trust





#### The Trust

The legal deed that sets out how the assets are to be held, invested and distributed.



#### The Settlor

The person establishing the trust and donating the founding assets.



#### **The Trustees**

The individual(s) or company that administers the Trust's assets for the benefit of a third party. These third parties are known as beneficiaries.

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#### **The Beneficiaries**

The individual(s) named in the trust deed as receiving income, capital or other benefit from the Trust's assets.



#### **The Protector**

Some trusts include a Protector, someone independent who oversees the work of the Trustees. The Trust might also restrict some actions without the Trustees first gaining approval from the Protector.

Tax treatment depends on the individual circumstances of each client and may be subject to change in the future.



# Choosing the right trust for your IHT purposes needs careful consideration

Once a trust is established it can be difficult to unwind

## A discretionary gift trust

The capital is deemed to have left the settlor's estate if the settlor survives for another seven years.

But any growth generated within the trust is immediately outside the estate.

Can last for up to 125 years allowing many generations to benefit.

#### A loan trust

Puts any capital gains or reinvested income outside of your estate.

You can still draw on the original capital, which remains part of your estate for Inheritance tax purposes.

But you effectively give away the right to the profits or growth.

## An interest in possession trust

Separates the capital and any potential income generated. One beneficiary receives the income from the trust for life.

But the capital passes to other beneficiaries on the first beneficiary's death.

Often used so a partner can receive an income but the capital passes to children when the partner dies.

## A discounted gift trust

Allows you to receive a regular income whilst placing the remainder of the assets outside of your estate for IHT purposes.

The value of investments within a trust and the income from them can fall as well as rise and are not guaranteed. The value of the trust might fall below the initial investment.

## How using a deed of variation could reduce your estate for IHT purposes



If you have inherited from someone who passed away within the last two years, you can opt to change the way the estate is distributed. It means effectively rewriting the will of the deceased to inherit the legacy in a way that better suits your family circumstances. This can be by either:

- giving direct gifts to your children, grand children or others
- setting up a discretionary trust

Although it is not a difficult process we recommend working with a solicitor and your financial adviser to make the best decisions for your family. This will incur fees.

And you can only re-assign your own inheritance.

If the whole estate is to be altered, all those who will 'lose out' from the arrangement must sign the agreement.

## How does a deed of variation work?

The variation is treated for IHT purposes as if the deceased had made a gift to the trust.



• Not in your estate

#### Notes

- Must be made within two years of death for IHT benefit.
- Needs agreement of all relevant beneficiaries.
- Requires a solicitor/legal agreement to be constructed and will incur some cost.
- The value of the gift made to the trust and the value of the trust may be subject to additional tax in the future.



### A few useful questions to think about...





## Support available



## Life's wealth journey

Helping you answer life's big financial questions





## Support available

Free financial health check <u>www.spw.com/referral/talk-money-week</u>

Access to our Wealth Lens
<u>https://www.spw.com/wealth-lens</u>



There are no hidden fees or charges, and you'll only pay if you choose to go ahead with the recommendations in your personalised financial plan.



## Access to our fortnightly webinars <u>https://www.spw.com/campaign/webinars</u>

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