

Settling our estate: responding to legacy requests

Making a will provides for those we leave behind. A gift in our will can richly bless our church and those charities that mattered to us in life. This paper briefly outlines the importance of wills and legacies and signposts to helpful resources for developing a legacy strategy.



One pastor, noting that his congregation were not leaving gifts in wills and worried if the church's ministry was not valued, asked why to the relatives of one church member. He was amazed and a little relieved by the reply: 'We've never thought of the church like that before.'

A key reason people don't leave a gift in their will is simply that no one has ever asked them. Over half the population gives to charity but just 7% remembers a charity in their will. Churches are missing out on an estimated £1 billion of legacy income. Anxiety over talking money and death conspires to keep the issue quiet. Some congregations fear that promoting legacies will offend and they will lose the occasional legacy they do get.

Part of Christian stewardship

Making a will and leaving a gift in a will should be a normal aspect of Christian stewardship. In 2 Corinthians 8:12, Paul teaches that we give from what we have, not from what we do not have. Leaving a gift in our will simply applies this biblical principle to the whole of our estate as well as to our income. Research for the Kingdom Bank in 2005 indicated that 23% of Christians had left a gift in their will, significantly more than the general population. It is right and appropriate that the invitation to leave a gift in our will should be part of good stewardship practice in the local church. In the UK, legacy gifts that exceed 10% of the value of the estate attract a lower level of inheritance tax.

The importance of making a will

A legacy gift is part of the wider and important discipline of making a will and, just as important, ensuring that the will is updated to reflect changes in personal circumstances. The stewardship principle applies not just to the legacy gift but also to the preparation of the will that contains the legacy.

- Making a will is an act of wisdom, kindness, provision and love for those closest to us. Providing for our families is understandably the primary motivation in leaving a will. However, it takes wisdom and thought to know how best to do that, especially where large sums are involved.
- By contrast, not making a will or not keeping a will up to date can result in problems for those we leave behind and create an obligation for inheritance tax.
- Making a will is a spiritual act because it involves preparation for our own mortality. This is what Archbishop Cranmer had to say in the *Book of Common Prayer* some 500 years ago: 'And if he have not before disposed of his goods, let him then be admonished to make his Will, and to declare his debts, what he oweth, and what is owing unto him; for the better discharging of his conscience, and the quietness of his Executors. But men should often be put in remembrance to take order for the settling of their temporal estates, whilst they are in health.'



Developing a legacy strategy

Developing a legacy strategy is a key stewardship task for every church. Many have one, many more do not. A strategy requires time and attention. It cannot be squeezed into the preparation for Giving in Grace so don't try it. However, Giving in Grace can provide the momentum to get started.

Start with the excellent resources on the Parish Resources website,ⁱ which offer all the guidance that a church needs:

- Brief leader guides to the key tasks in developing a legacy strategy
- Customisable literature for the local church that can be given to those who enquire
- Templates for a legacy policy, how the church will use gifts in wills entrusted to its care
- Generic advice on preparing to visit a solicitor, which will benefit the potential legator.

All this material is included in the Legacy Starter Pack, which can be ordered from the Resources on Legacies page. It is not as complex as it sounds but it does repay careful thought and requires time and attention.

Responding to legacy requests

The Giving in Grace response form includes a tick box that requests additional information on leaving a legacy to the church. What if your church is not ready? How can you respond appropriately to such requests?

First, asking for information about leaving a legacy is neither a casual nor a spontaneous decision on the part of the church member so the response must be managed with sensitivity and care. If the church has not considered the issue, say so honestly and say you will get back to them with information as soon as you can.

Second, order a copy or two of the Legacy Starter Pack from the Resources on Legacies page. This includes 8 copies of a generic brochure that can be given to interested enquirers. It also includes a helpful guide to preparing to visit a solicitor, which can be passed to the enquirer. This literature will be sufficient for the time being to make a positive response to those who ask about leaving a legacy to the church. But, as noted above, it is no substitute for a well prepared legacy strategy. The church will need a reserves policy and a legacy officer. It will also need locally customised leaflets that tell the story of what previous legacies have achieved and what could be achieved with new ones.

The golden rule

Any response to a request for legacy information should be responded to by a personal visit as with all follow-up of requests for additional information. Exercise care as to who should visit. Ideally it should be someone who has themselves decided to leave a legacy to the church, but this may not be possible. There need be no anxiety, as the person has requested the legacy information, but there should be wisdom.



The golden rule for any visitor who responds to a request for information about legacies is this: **Never Give Advice.** The only advice it is ever appropriate to give is 'talk to your solicitor'.

Don't get drawn into discussing the details of a will or a legacy gift to the church either in the visit or in any subsequent social or church contact. Let the literature do the talking. The visitor is there to leave that literature, not there to persuade or encourage. Visitors must not influence or appear to influence any decisions by the potential legator.

Notes and Resources

ⁱ www.parishresources.org.uk/legacies