

**MACMILLAN**  
CANCER SUPPORT

# YOUR STEP-BY-STEP GUIDE TO MAKING A WILL



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# About this leaflet

This leaflet is a guide to making or updating your will. It is for anyone affected by cancer.

Having an up-to-date will is important. It can reassure you that your finances and belongings will be passed on in the way that you want after you die. Making a will can be simple to do and does not need to be expensive.

This leaflet explains:

- how to make or update your will
- how inheritance tax works
- how to leave a gift to charity, if you want to
- who to contact for more information or support.

Some of the words used to talk about wills can be confusing. In this leaflet, some of these words are in **bold** once on each page where they are used. We have explained these words in the glossary on page 21.

## Quotes

In this leaflet, we have included quotes from people who have made a will. These are from people who have chosen to share their story with us. To share your experience, visit [macmillan.org.uk/shareyourstory](https://www.macmillan.org.uk/shareyourstory)

## For more information

If you have more questions or would like to talk to someone, call the Macmillan Support Line free on **0808 808 00 00**, 7 days a week, 8am to 8pm. Our financial guides are available from Monday to Friday, 8am to 6pm.

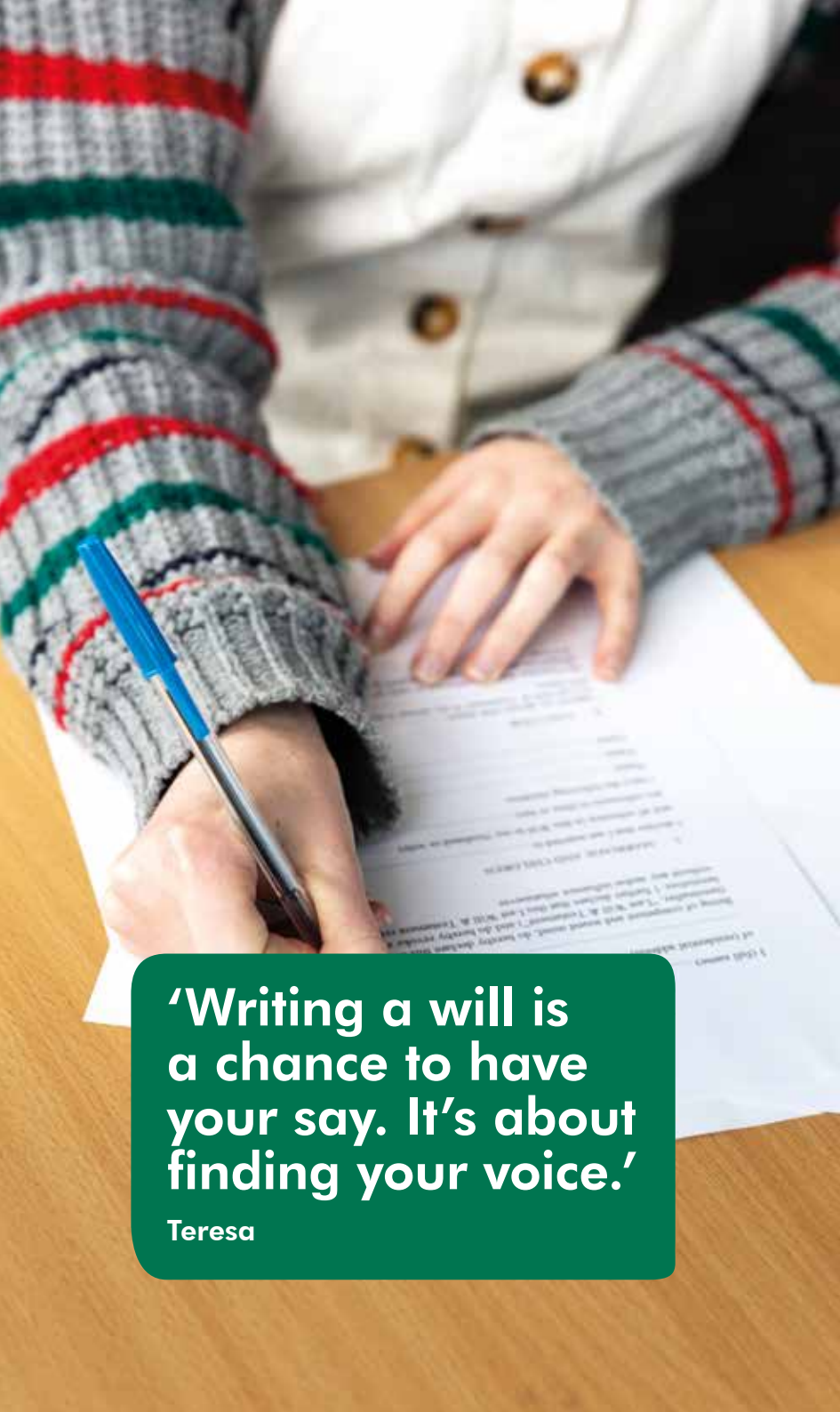
If you would prefer to speak to us in another language, interpreters are available. Please tell us, in English, the language you want to use.

If you are deaf or hard of hearing, call us using NGT (Text Relay) on **18001 0808 808 00 00**, or use the NGT Lite app.

We have some information in different languages and formats, including audio, eBooks, easy read, Braille, large print and translations. To order these, visit **[macmillan.org.uk/otherformats](https://www.macmillan.org.uk/otherformats)** or call **0808 808 00 00**.

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**'Writing a will is  
a chance to have  
your say. It's about  
finding your voice.'**

**Teresa**

# What is a will?

A will is a legal document. It gives instructions about who you want to give your money and belongings to when you die. People who get your money or possessions when you die are called your beneficiaries. Writing a will makes sure everything you leave goes to the people you want it to.

What you leave when you die is called your **estate**. This is made up of:

- everything you own, including money, property and belongings
- your share of anything you own jointly with someone else.

Anything you owe is taken off the value of your estate. For example, the value of a mortgage would be taken off.

As well as instructions about money and belongings, your will can also include instructions about:

- who you want to look after your children – this person is called a legal guardian
- your funeral plans
- who you want to deal with your estate – this person is called an **executor**.

# How do I make a will?

To make a will you must be at least:

- 18 years old in England, Wales and Northern Ireland
- 12 years old in Scotland.

Making a will is not as expensive or difficult as you might think. But it is a legal document and must be prepared properly. So it is best to use a solicitor. They will be able to help with the wording in the document. This ensures all legal processes are followed, as even small mistakes can make a will invalid. A solicitor will also make sure your wishes are clear and that they are carried out exactly as you want.

This leaflet goes through the steps you can take to prepare for writing a will. On pages 14 to 15 there is more information about finding a solicitor, and Macmillan's discounted will-writing service.

# Step 1: Write down what you have

First, you need to find out the value of your **estate**. Make a list of everything you own. These are your assets. Then, make a list of everything you owe. These are your liabilities.

You can use the tables on the next few pages to help you. Completing these may save time when you are with your solicitor.

Everything I own (my assets)	Value (£)
Property (house or flat)	
Car	
Jewellery	
Furniture, antiques or collectables	
Bank accounts – current balance	
Building society – current balance	
ISAs, saving certificates or premium bonds	



<b>Everything I own (my assets)</b>	<b>Value (£)</b>
Stocks and shares	
Life insurance policies (amount payable on death or diagnosis of a terminal illness – check policies for details)	
Other possessions	
<b>Total</b>	

<b>Everything I owe (my liabilities)</b>	<b>Value (£)</b>
Mortgage – outstanding balance	
Overdrafts	
Credit card debts	
Bank loans	
Other debts	
<b>Total</b>	

The table below will help you to calculate the estimated value of your **estate**.

Value (£)	
Everything I own (my assets) total	
<b>Minus</b>	
Everything I owe (my liabilities) total	
<b>= Estimated value of my estate</b>	

You should also write down the value of any money that is owed to you by other people.

### Money owed to me:

£ \_\_\_\_\_ (by \_\_\_\_\_)

## Step 2: Decide who to include

Make a list of all the people, charities or organisations you would like to remember in your will. Consider the types of gifts you want to leave them.

For example, you might want to leave someone a specific amount of money or an item with financial or sentimental value. You can also give someone a percentage of the value of your **estate**, after any taxes or costs have been taken off. This can be a good way to decide what to give to somebody if you are not sure what the value of your estate will be after the rest of your will is sorted out.

When you have provided for your loved ones, you may want to consider supporting your favourite charities or causes.

You can use the space opposite to write down who you want to include in your will.

## Family

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## Friends

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## Charities or organisations

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## Step 3: Decide on other instructions to give

You need to choose someone to carry out the instructions in your will. This person is called an **executor**. This is a serious responsibility and can take up a lot of time. It is often done by a solicitor. Or it can be done by somebody else that you trust.

If you have young children, you should also decide who you want to look after them when you die. If you and their other parent die when your children are aged under 18 (or under 16 in Scotland), this person will be their legal guardian. You can name more than one person as a legal guardian.

You can use the space here to write down your instructions.

### Who I want to carry out my instructions (executors)

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### Who I want to be the legal guardians of my children

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## **Instructions for my funeral**

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## **Who I want to look after family members who depend on me**

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## **Who I want to look after my pets**

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## **Other instructions**

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## Step 4: Make your will and keep it safe

Making a will does not have to be a long or expensive process. If you use a solicitor, it is a good idea to look around for the best deal. Or you can ask for a few quotes to find the right solicitor for you.

Different law societies in the UK have online databases where you can search for a local wills solicitor:

- In England and Wales, visit **[solicitors.lawsociety.org.uk](https://solicitors.lawsociety.org.uk)**
- In Scotland, visit **[lawscot.org.uk/find-a-solicitor](https://lawscot.org.uk/find-a-solicitor)**
- In Northern Ireland, visit **[lawsoc-ni.org/solicitors](https://lawsoc-ni.org/solicitors)**

You can also visit your local Citizens Advice and ask for a list of local solicitors.

You can make a will face to face with a solicitor or over the phone. Some solicitors have a form that you can fill in and send online or through the post.

After your meeting or phone call with a solicitor, they should arrange a follow-up appointment with you. This is to check that your will has been written the way you want it to be.

You will then need to sign it with two witnesses present, or one witness if you live in Scotland. The witnesses must also sign the will for it to be valid. Your witness cannot be one of your beneficiaries, or someone who is married to one of your beneficiaries.

## Macmillan's discounted will-writing service

Macmillan has a list of organisations that can offer a discounted will-writing service. We also offer a free will-writing service at certain times of year. Visit [macmillan.org.uk/willwriting](https://www.macmillan.org.uk/willwriting) to find out more. You do not have to leave a gift to Macmillan in your will to get a discount.

If you have been diagnosed with cancer, you can call our financial guides on **0800 808 00 00** for information on how to get a free will at any time of year.

There are several other ways Macmillan can support you to make or update your will. This includes helping you leave us a gift if you want to. For more information:

- call us on **0800 107 4448**
- visit [macmillan.org.uk/legacies](https://www.macmillan.org.uk/legacies)
- email [leavealegacy@macmillan.org.uk](mailto:leavealegacy@macmillan.org.uk)

## Keeping your will safe

Leave your original will document in a place where it is safe and easy to find. For example, you can leave it with your solicitor. Keep a copy yourself, and make sure your executors know where to find it. You may also want to keep it with other important documents, such as the details of your insurance policy.





# Updating your will

You may need to update your will if your situation changes, or if your wishes change.

The only way to make a change to your existing will is by making an official alteration called a codicil. This must be signed by the person who made the will and be witnessed in the same way. But the witnesses do not need to be the same as for the original will.

There is no limit on how many codicils you can add, but they are only suitable for small or simple changes. For example, you could add a codicil to change the executors or add a gift for a charity.

Many charities have codicil forms to make it easier to add a gift to your will. To order Macmillan's codicil form, visit **[be.macmillan.org.uk](https://www.be.macmillan.org.uk)**

If you need to make any major changes to your will, you should write a new one.

Whether you want to write a new will or make a codicil, it is important to get advice from a solicitor. They can help to make sure a new or updated will is still valid.

## Other useful information

There are other things that it might help to know when you are making a will.

### Inheritance tax

If the value of your **estate** is above £325,000, **inheritance tax** may need to be paid when you die. The amount of your estate that you can pass on without needing to pay tax is called the tax-free allowance, or nil-rate band. It is set by the government.

Anything above the tax-free allowance of £325,000 will be taxed by 40%, except for:

- anything you leave to your husband, wife or civil partner
- anything you leave to a UK-registered charity.

If you own a home, you may also be entitled to an extra tax-free allowance. This is called the residence nil-rate band, or the family home allowance. We have more information about inheritance tax in our booklet **Sorting out your financial affairs** (see page 22).

## Charitable legacies

You might want to leave something in your will to a charity of your choice. This is called a **charitable legacy**.

Charitable legacy amounts are taken off the value of your estate before inheritance tax is calculated. If you choose to leave 10% or more of your estate to charity, this can reduce the inheritance tax that must be paid from your estate from 40% to 36%.

For advice on saving inheritance tax, speak to a solicitor when making your will. Or, you can speak to one of our financial guides.

If you are interested in leaving a gift to Macmillan, visit [macmillan.org.uk/legacies](https://www.macmillan.org.uk/legacies) to find out more and order a free information pack. You can also call our fundraising support centre on **0300 1000 200**.

'We made our wills, and decided we'd do it half charities for animals and the rest to cancer charities. If I can leave something that will make a difference to other families, or even one family, it will be worth it.'

**Jackie**



# Glossary

## Charitable legacy

A gift left to a charity in a will.

## Estate

Everything you own when you die, minus everything you owe. This includes possessions, money and debts.

## Executor

A person named in a will who sorts out the estate.

## Inheritance tax

A tax that may be applied to your estate when you die.

## Legal guardians

People you name in your will who you would like to look after your children. This applies if you have children aged under 18, or under 16 in Scotland.

## Further information and support

Find out about our expert, up-to-date information about cancer and other ways we can help you. All our information is free for everyone.

### Order what you need

To order more booklets or leaflets visit **be.macmillan.org.uk** or call us on **0808 808 00 00**.

All our information is also available online at **macmillan.org.uk/information-and-support**

We provide information in different languages and formats, including:

- audiobooks
- Braille
- British Sign Language
- easy read booklets

- eBooks
- large print
- translations.

Find out more at **macmillan.org.uk/otherformats**

If you would like us to produce information in a different format for you, email us at **cancerinformationteam@macmillan.org.uk** or call **0808 808 00 00**.

## Other ways we can help

### Macmillan Support Line

Our free, confidential phone line is open 7 days a week, 8am to 8pm.

We can help with medical questions, benefits, financial guidance and local services, or just be there to listen. Call us on **0808 808 00 00** or email us via our website, **macmillan.org.uk/talktous**

### Information centres

Our centres are based in hospitals, libraries and on mobile buses.

You can talk to someone or get more information. Find your nearest centre at **macmillan.org.uk/informationcentres** or call **0808 808 00 00**.

### Support groups

You can find support groups in your area by calling **0808 808 00 00** or visiting **macmillan.org.uk/selfhelpandsupport**

You may also want to use our Online Community to make friends, blog, and read stories.

Visit **macmillan.org.uk/community**

### Help with money worries

Our financial guidance team can help you with money worries and accessing benefits.

Macmillan also offers one-off grants – for anything from heating bills to extra clothing. Call us on **0808 808 00 00** or visit **macmillan.org.uk/financialsupport**

### Help with work and cancer

Whether you are an employee, a carer, an employer or self-employed, we can help.

Visit **macmillan.org.uk/work** or call **0808 808 00 00** to speak to a work support adviser (Monday to Friday, 8am to 6pm).



# Other useful organisations

There are lots of other organisations that can give you information or support.

## Finding a solicitor

### **Civil Legal Advice**

**Helpline** 0345 345

4345 (Mon to Fri,  
9am to 8pm, and Sat,  
9am to 12.30pm)

### **Textphone**

0345 609 6677

**[www.gov.uk/](http://www.gov.uk/civil-legal-advice)**

### **civil-legal-advice**

Has a list of legal advice centres in England and Wales and solicitors that take legal aid cases.

Offers a free translation service if English is not your first language.

## **Law Centres Network**

**[www.lawcentres.org.uk](http://www.lawcentres.org.uk)**

Local Law Centres provide advice and legal assistance for people who cannot afford a lawyer. Use the website to find your local Law Centre.

## **The Law Society of England and Wales**

**Tel** 020 7242 1222

**[www.lawsociety.org.uk](http://www.lawsociety.org.uk)**

Represents solicitors in England and Wales and can provide details of local solicitors.

### **Law Society of Scotland**

**Tel** 0131 226 7411

**Email** [lawscot@](mailto:lawscot@lawscot.org.uk)

[lawscot.org.uk](http://lawscot.org.uk)

**[www.lawscot.org.uk](http://www.lawscot.org.uk)**

Represents solicitors in Scotland and can provide details of local solicitors.

### **Law Society of Northern Ireland**

**Tel** 028 9023 1614

**[www.lawsoc-ni.org](http://www.lawsoc-ni.org)**

Represents solicitors in Northern Ireland and can provide details of local solicitors.

## **Finding a financial adviser**

### **Chartered Institute for Securities and Investment**

**[www.financialplanning.org.uk/wayfinder](http://www.financialplanning.org.uk/wayfinder)**

Enter your postcode on the website to find a financial planner near you.

### **The Personal Finance Society – Find an Adviser service**

**[www.thepfs.org/yourmoney/find-an-adviser](http://www.thepfs.org/yourmoney/find-an-adviser)**

Enter your location to find qualified financial advisers near you.

### 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, Macmillan 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. Some photos are of models.

### Thanks

This leaflet has been written, revised and edited by Macmillan Cancer Support's Cancer Information Development team. It has been approved by Neal Southwick, Macmillan Financial Support Programme Lead.

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Thanks also to the people affected by cancer who reviewed this edition, and those who shared their stories.

We welcome feedback on our information. If you have any, please contact [cancerinformationteam@macmillan.org.uk](mailto:cancerinformationteam@macmillan.org.uk)

## Sources

We have listed a sample of the sources used in the leaflet below.  
If you would like more information about the sources we use,  
please contact us at **[cancerinformationteam@macmillan.org.uk](mailto:cancerinformationteam@macmillan.org.uk)**

Citizens Advice. [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) (accessed June 2018).

Gov.uk [www.gov.uk](http://www.gov.uk) (accessed June 2018).

# YOUR NOTES AND QUESTIONS

A series of horizontal green lines for writing notes and questions, filling the lower two-thirds of the page.

**This leaflet is a guide to making or updating your will.  
It is for anyone affected by cancer.**

**It also explains how inheritance tax works, and who  
to contact for more information and support.**

We're here to help everyone with cancer live life as fully as they can, providing physical, financial and emotional support. So whatever cancer throws your way, we're right there with you. For information, support or just someone to talk to, call **0808 808 00 00** (7 days a week, 8am to 8pm) or visit **macmillan.org.uk**

Would you prefer to speak to us in another language? Interpreters are available. Please tell us in English the language you would like to use. Are you deaf or hard of hearing? Call us using NGT (Text Relay) on **18001 0808 808 00 00**, or use the NGT Lite app.

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