



HM Courts & Tribunals Service

11 November 2020

Subject: Volume Grants of Probate to be issued

We regularly meet with representative bodies for probate professionals and with the Institute of Legacy Management and Remember A Charity on behalf of the charity sector, to share updates, listen to feedback and work together on improving the probate service. The collaborative nature of these meetings has been welcomed from all those involved, and we firmly believe has made a significant difference over the last 18 months. Thank you for your contribution.

An issue which has been discussed regularly is the overall volume of grants of probate which have been issued and the knock-on impact this has on the charity sector in terms of funding bequeathed from estates and your ability to forecast income from these estates. We have produced this statement, in consultation with the representative bodies, to help provide some clarity for the charity sector in this area.

The figures used in this statement are from the available published data which has been used to provide an indication of the potential numbers of grants waiting to be issued. That data can be found here:

<https://www.gov.uk/government/statistics/family-court-statistics-quarterly-april-to-june-2020>
<https://www.gov.uk/government/collections/hmcts-weekly-management-information-during-coronavirus-outbreak>

2019 – Volumes

2019 was a difficult year for the probate service for a variety of reasons which we covered in a series of public blogs on GOV.UK

- Reforming probate: [learning from experience](#)
- [Making our probate service simple, accessible and reliable: Part 1](#)
- [Making our probate service simple, accessible and reliable: Part 2](#)

The result of those challenges meant that we ended 2019 having issued 237,130 ¹grants; around 21,500 ²fewer than we would have ordinarily expected to have issued in 2019.

Of the 21,500 unissued grants, we had a slightly higher than normal backlog of cases to issue as well as a high volume of cases coming to us which were incomplete, which we describe as “stops”. By the end of the year we had a large number of cases which were still “stopped” due to the forms being incomplete or missing documentation such as the IHT form.

¹ Table 24 - <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-april-to-june-2020>

² Based on historical conversion rate of 96% of applications to grant (using 2015-2018 averages) and having received 269311 applications in 2019 (table 24 - <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-april-to-june-2020>)

Early 2020

We started 2020 having put the operational struggles of 2019 behind us: the new case management system had bedded in and our new staff dealing effectively with digital cases at the Court and Tribunals Service Centre. Waiting times were getting back to near normal levels and our outputs were back to 2018 levels, having issued 44,113³ grants in January and February.

Unfortunately, the Covid-19 pandemic then struck impacting output in March. Nonetheless, we ended Q1 2020 having issued 61,751 grants which was about 2,500⁴ less than we would normally expect based on application volumes. This meant that we ended March with approximately 24,000 additional grants that we would expect to issue in coming months (including those with “stops”)

Covid-19 Impacts

The pandemic, and associated restrictions brought unprecedented challenges and has impacted how we all live and work. It has also affected the ability of executors to make applications for probate and our ability to issue grants.

Throughout the pandemic, the staff in the probate service have continued to work tirelessly to process grants. This was made possible by the earlier reforms to the probate service, removing the need to be in a central office and enabling our staff to work remotely on digital files.

Without the changes we introduced in 2019 the majority of the workforce would not have been able to access the work and our outputs would have dropped significantly. Our digital services also meant that users could continue to send us applications online when their normal offices were closed.

Despite the pressures of the pandemic we still issued an average of 4,373 grants per week between the start of March and the end of June. That was only 12% down on our 5 year average of 4,950. That fall in output coincided with a fall in applications for probate and meant that we maintained the level of grants pending application.

As a sad consequence of the pandemic, we anticipated a likely increase in demand for probate services and we made plans to bring in additional staff and get them trained and ready ahead of demand increasing. Those extra staff started to make a real difference from July when our output increased considerably, and we are now operating well and consistently issuing more grants per week than we would normally receive in applications. In July we issued, on average, more than 5,400 grants a week (which is 9% above our 5 year average) and in August we managed more than 5,700 which is 16% above average.

However, applications also rose considerably from June this year. This was both as a result of executors making the applications that they might have made earlier were it not for the national lockdown and also sadly as a result of more applications being made due to the increased number of deaths in April and May.

³ Based on grants issued in table 24 Q1 2020 CSQ minus March 2020 figures from weekly Covid statistics <https://www.gov.uk/government/collections/hmcts-weekly-management-information-during-coronavirus-outbreak>

⁴ Based on historical conversion rate of 96% of applications to grant (using 2015-2018 averages) and having received 66,924 applications in Q1 2020 (table 24 - <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-april-to-june-2020>)

Despite our increased output there are now a further 5000⁵ additional estates awaiting probate than there were at the start of April. Combined with the existing volume this means there are a total of 29,000 grants which we expect to issue over the coming months which are either stopped due to errors on the application and/or missing documentation or are applications which we have not yet been able to issue.

The fact that so many of the cases are ones which have already been looked at and stopped means that we have maintained overall waiting times for grants of probate at pre-Covid levels during April to June 2020 and reduced the waiting time for digital cases by 1 week so that completion now takes between two and five weeks on average.

Notifications to Smees and Ford

Many of you will be aware of and use the services of Smees and Ford to get copies of wills that your charity may have an interest in. We have been working to improve the speed at which we send documentation to them. A new digital solution is currently being tested which would see Smees and Ford receive the documents from us electronically at the point a grant is issued. We hope this will greatly speed up the current process.

Going forward

We are currently training even more additional staff to help us process the applications we receive for probate. We are expecting our capacity to process grants to reach more than 6,000 grants a week from December and we anticipate having that capacity until the end of March but will of course review if it needs to be longer.

Subject to a further spike in applications for probate we believe we are sufficiently resourced to handle the rise in applications expected in 2020 Q4. We also should then have capacity to clear the backlog that arose in Q2 and Q3 of 2019 and the middle of 2020.

We are committed to transparency and we will continue to publish weekly data (on a monthly basis) on applications and grants issued to allow charities to forecast income from bequests.

We are very aware of the importance of our work to the charity sector and we will continue to work closely with the Institute of Legacy Management and Remember a Charity to address any significant variations between the number of applications received and the grants being issued. To that end we will make a further statement before the end of the financial year to update on the volume of grants which are waiting to be issued.

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⁵ Based on historical conversion rate of 96% of applications to grant (using 2015-2018 averages) and having received 216,505 applications in 2020 up to September (table 24 - <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-april-to-june-2020> and <https://www.gov.uk/government/collections/hmcts-weekly-management-information-during-coronavirus-outbreak>)