



Transparency

BEST PRACTICE GUIDE TO
PRICE AND SERVICE TRANSPARENCY

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Foreword



ICAEW has long been an advocate for transparency in the accounting profession as demonstrated by the requirements in the ICAEW Code of Ethics for firms to uphold the values of honesty, fairness, and clear communication. It has a continuing commitment to comply with its obligations under the Benson Principles to ensure fair and open competition by professional accountants in practice so that the public is not at risk of being exploited.

We therefore welcome the development and implementation of ICAEW's Best Practice Guide to Price and Service Transparency which has been produced as part of ICAEW's consumer engagement strategy, initiated in 2014 when ICAEW began accrediting firms to carry out the reserved legal service of probate.



It is also pleasing to see that it adopts many of the recommendations outlined in the CMA's report on its market study into legal services. This report raised concerns that the legal services sector for individuals and small businesses was not working well and that access to services was being hindered by a lack of transparency of information provided. We are assured this Best Practice Guide addresses many of these concerns.

We are therefore confident that adopting the requirements in this Guide will not only benefit consumers by increasing access to legal services; but it will also benefit firms tremendously by educating consumers on the benefits of engaging with our regulated firms; and being provided with professional services as a one-stop shop.

ICAEW and the accountancy profession have service of the public and the public interest at the centre of their activities. We believe the development and implementation of ICAEW's consumer engagement strategy illustrated through the production of this Best Practice Guide will ensure it continues to be relevant and effective in meeting these goals.

Fiona Wilkinson
ICAEW Deputy-President
May 2019

Brian Yates
Chair, ICAEW Probate Committee
May 2019

1. Introduction

THE COMPETITION AND MARKETS AUTHORITY REPORT

1.1. Following its successful application to become an approved regulator and licensing authority for probate, ICAEW gave a commitment to develop and implement a consumer engagement strategy. The purpose of this strategy is to place the consumer at the heart of regulation; in turn, improving access to legal services for less well-off consumers and increasing competition in the sector by enabling consumers to make informed purchasing decisions.

1.2. The development and implementation of this *Best Practice Guide to Price and Service Transparency* is therefore a cornerstone of our consumer engagement initiative and was informed by the CMA's 2016 market study into legal services, which found that currently, consumers experience 'substantial detriment'¹ when accessing services due to the lack of transparency of information provided. Therefore being more transparent about the services you offer, the prices you charge and your regulatory status are some of the most effective ways to address this issue.

1.3. Beyond the benefits to consumers, however, implementing these suggestions also has the potential to greatly benefit your firm. It could help to dispel the myths around the expense of probate, and further drive new business by raising awareness of the work of chartered accountants in the legal services sector. Therefore we believe there are plenty of incentives to adopt the proposals in this guide.

1.4. Furthermore, while we are promoting the move to increase transparency for consumers, this Best Practice Guide is not seeking to dictate matters such as the amount you should charge your clients or the fee structures you should use; but rather it seeks to build upon current requirements in the ICAEW Code of Ethics and Practice Assurance Scheme which relate to pricing and quality of service.

1.5. The CMA is, however, calling upon regulators to address the issues outlined in its research in earnest. Firms are encouraged to adopt this guide on a voluntary basis for a trial period until January 2020 when uptake will be assessed and firms will be invited to feedback on their experience in using it. ICAEW will then decide if the voluntary approach is likely to deliver the CMA objectives or if it is necessary to roll out the principles on a mandatory basis through regulations.

1.6. This guidance applies to ICAEW accredited probate firms only and only in relation to the legal services of probate, will-writing and lasting powers of attorney. When offering bundled services; namely a mix of both accountancy and legal services, it follows that these best practice principles be applied to all services in the bundle.

1.7. As noted in paragraph 1.5, the contents of this document in its entirety are not yet compulsory. However, there is substantial overlap between this best practice guidance and the ICAEW Code of Ethics and regulations. Where there is overlap, your firm is obliged to comply with the pre-existing regulations as a matter of priority. We clearly signpost the points at which your regulatory requirements apply throughout the document.

1.8. For more information on the background to this project and the benefits it could bring to your clients and your firms, please visit [icaew.com/consumerengagement](https://www.icaew.com/consumerengagement)

¹ <https://bit.ly/2jyXuP3>

2. Price information

BEST PRACTICE REQUIREMENTS:

1. You should publish details of the total fees you charge for the services you provide to consumers, or if not possible, indicate an estimate of the likely fees for services you provide, including VAT.
2. With these fees, you should also publish an explanation of the basis upon which they are calculated, for example:
 - fixed fee
 - an hourly rate/time spent.
3. If there are variable rates charged for a service you should explain why. For example, the same work may be carried out by staff with different levels of experience.
4. You should also explain what services will be provided for the published fees including:
 - any factors that could affect the time and cost;
 - the size and nature of any disbursements likely to be incurred and whether VAT applies to any of these; and
 - details of any referral fees that may be paid or received.
5. This information should also be provided in an engagement letter to your client before the work starts.

GUIDANCE

2.1. In order to promote the move to increase transparency of pricing for consumers, the above requirements will build on those in clauses 240.1-240.4 and section 110 of the Code of Ethics which require you to assign the appropriate fee, time and staff proportionate to the work involved; maintain clear communication channels with your client regarding the engagement and costs throughout,

including informing them in writing of the basis on which fees are calculated; mitigate any false, misleading or reckless statements and thus not engage in bait pricing by using extensive exclusions and qualifications when quoting a price.

2.2. We will provide support for consumers on our website on the different pricing structures often found in probate work. While this will not eliminate all differentiations and qualifications between pricing models, we hope this will go some way in enabling the consumer to make better informed comparisons.

2.3. Please note that some service providers, notably solicitors and banks charge by using a % value of estate approach. While we do not recommend this method of charging, practitioners choosing to use it should ensure that the likely overall cost of services to be provided is not disproportionate to the amount and level of work that your firm will be carrying out for the consumer.

2.4. The primary way you should display price information is by publishing it on your website. If you do not have a website, you should publish it on other platforms such as social media, or on request by email or post.

2.5. There are a number of ways to develop and convey an accurate cost estimate to consumers, considered in paragraphs 2.8 – 2.19 below.

2.6. Of course, goalposts may change and unforeseen complexities of a case may become apparent later on in the engagement. You are not expected to be bound by the initial cost should this happen. Instead you should adopt a good practice and common sense approach throughout, ensuring consumers are informed at the earliest possible time and given a clear and transparent explanation for any fee increases and a revised likely outturn of final costs. In these circumstances, it would also be good practice to explain why the increased charge could not reasonably have been anticipated when the original fee structure was explained to the client.

2.7. Where a number of services may be involved through a bundling of services there are additional considerations which are explored more thoroughly in paragraphs 3.5 – 3.7 below.

USE A PRICE CALCULATOR

2.8. The use of online instant fee calculators can be a great way to generate estimates for fixed fee probate services.

2.9. It would allow you to provide consumers with a more accurate and tailored price compared to the general publication of your prices, as it takes into account specific case information. What's more, studies show that websites with an instant fee estimate function received a much larger number of enquiries than those that do not. Notably, consumers are much more likely to use the tool if they do not have to enter any personal information.²

2.10. There are two ways you could do this:

Develop the tool on your own website

Examples of the sorts of questions you could ask in order to provide an estimate that is as accurate as possible are outlined below. Please note that the list is not comprehensive, but rather illustrative:

- Is there a surviving spouse or civil partner?
- Is there a will, and do you know of its location?
- Are there any executors to the will, and if so, how many are there?
- Did the deceased grant a power of attorney to anyone?
- Was anyone financially supported by the deceased at the time of their death?
- How many beneficiaries are there?
- Ascertain the value of assets:
 - Is there any loose cash?
 - Are there any bank or building society accounts?
 - Are there any private pension arrangements?
 - Are there any securities such as gifts, bonds or unit trusts?
 - Are there any assets held offshore?

- Ascertain the value of estate:
 - Did the deceased own any properties?
 - What is the value of the property and is it occupied?
 - Is the estate taxable?
- Ascertain the value of any gifts given within seven years before the death of the deceased.
- Will a separate probate be required to administer assets held overseas in a foreign jurisdiction?

Sign up to a third-party comparative website using this tool

We believe that a third-party intermediary platform could be a useful tool to enhance competition in the legal services sector. Such platforms enable consumers to compare fixed fee probate and estate administration quotes. They may also allow consumers to choose their practitioner, possibly rating them based on the quality of their profile, expertise and knowledge.

Please note, however, that websites such as these operate on a referral basis. Thus, you must ensure any actions you take regarding this do not come into conflict with ethical requirements on referral fees.

The approach regarding referral fees, dictated by ICAEW's Code of Ethics, holds that members should behave ethically in all of their professional and business activities, including the act of obtaining such work. You need to ensure that in the act of procuring work you (and those who work for you):

- do not mislead (s110);
- are objective (s120);
- have the competence to undertake the work (s130); and
- comply with ICAEW's marketing requirements (ss150 and 250).

Code 240.7e further requires you to consider whether there are any indications that the work has been procured for you in a way which would be unethical had you obtained the work directly.

² <https://bit.ly/2Wi8Fmw>

OFFER FIXED FEE PACKAGES

2.11. As an alternative to price calculators, you could communicate your costs by offering fixed fee packages.

2.12. You could consider offering one standard probate package that covers the scope of services needed for a simple estate, and then accompany this with a list of factors that could increase the overall price, or services that can be purchased at an additional cost. These could include, for example, if the case involves setting up a trust, or if there are multiple executors.

2.13. Alternatively, you could offer consumers a choice of a few fixed fee packages, each with a different degree of services included. In the appendix to this document we have laid out a table that can help you in displaying this, as well as support in communicating additional costs.

2.14. In both cases, you and your client must be totally clear on what services are included and which are not. You may also wish to detail any services that are not included, but that are typically associated with the scope of work that sits under probate or estate administration.

USE CASE STUDIES

2.15. If you charge on an hourly basis, publishing the total cost of an engagement can cause difficulties as you do not know how complex the estate will be or how much support a particular client may require. In these situations, using illustrative, scenario-based pricing models can really help communicate the bigger picture to consumers.

2.16. As well as detailing your charging rates, depending on the level of staff, we suggest you use previous probate case studies your firm has undertaken to show how long the engagement took, and how much the total cost was. By building up a portfolio of cases, consumers can compare their own case with those on the website to gauge an idea of how much it may cost and how long it might take.

2.17. When detailing these case studies, you must ensure you are complying with data protection legislation and keeping client information confidential.

2.18. We consider it to be good practice to accompany this approach by offering a free, no obligation consultation to consumers to discuss their specific case to develop a tailored price estimate. For more information and guidance, see [ICAEW's Technical Advisory Service's helpsheet](#) on this.

2.19. If you are yet to undertake any probate work, or seek further guidance on this, we have detailed both a simple and a more complex probate scenario in the appendix to this document. You can follow the same approach and use these to detail the work that would be involved, the time you think it may take and thus the cost your firm would attach to it.

3. *Service information*

BEST PRACTICE REQUIREMENTS:

1. You should make readily available to consumers the following service information:
 - a clear and brief description of the services your firm offers;
 - a description of the key stages of a service; and
 - an indication of likely timescales of the service and any likely affecting factors.
2. You should also consider publishing the following information:
 - the experience and qualification of your staff;
 - the types of legal services they carry out; and
 - how their work is costed.
3. Once provided with your client's requirements, but before engagement, you should make clear to your client:
 - Which member of staff will be working on their case; their fee level if charging an hourly rate; and how the work will be costed.
 - Whether this member of staff will be supervised and, if so, by whom.

GUIDANCE

3.1. This service information should be made readily available to consumers on your website, or via other platforms such as social media, or on request by email or post.

3.2. While to some degree this information will be nuanced depending on your firm's business structure, you can use the newly created information on our consumer facing web pages to support you.

3.3. Section 6 of this guide also outlines best practice for communicating such information in engagement letters once the terms of the engagement with your client has been agreed.

3.4. Communicating services from the perspective of an Alternative Business Structure will require a further distinctive approach. Further guidance on how these transparency principles might apply to bundled services and how to present the packages you offer with regards to pricing can be found below.

BUNDLED SERVICES

3.5. Bundled services may arise where you offer a number of services alongside probate as part of an overall package for the client. These could include for example some personal tax and accountancy services. This bundling of services is an important differentiator for ICAEW firms which, as multi-disciplinary practices, are well positioned to offer this one-stop service for clients. However the client, in making their choice of supplier, should be able to judge whether it would be more advantageous in price terms to use multiple suppliers or the one-stop shop. It follows that the pricing and service disclosures you make should address all of the services and not just the probate element so the client is clear on the overall content and costs involved.

3.6. Under ICAEW's memorandum of understanding with the Legal Ombudsman (LeO), accountancy services are not under the remit of LeO, except if a bundled service includes probate. The guidance therefore is consistent with this regulatory oversight.

3.7. You should make clear:

- how these best practice requirements will apply to the non-probate services you offer as part of the wider scope of work you will be providing to your client;
- the benefits of such bundled services being provided as a 'one-stop shop' by one ABS firm rather than separately by firms of solicitors and firms of accountants; and

- how the individual services in the bundle are priced. In the appendix to this document, you will find a template that sets out how you might disclose and display information when offering bundled services.

STAFF PROFILES

3.8. An effective way to convey the suggested supplementary information is by creating staff profiles, preferably with photos. These can give a personable face to your firm, which, particularly when offering probate services, can be very

comforting and reassuring for consumers during a difficult time. It is also a great way to exhibit your firm's culture, personality and expertise.

3.9. To help with both the type of content, and design examples, we have displayed three examples below.

3.10. The use of these staff profiles should go hand-in-hand with the hourly rate template found in the appendix of this document should you opt for this pricing strategy.

Example 1

PAULA X



PARTNER

Paula X works mostly for owner-managed businesses, offering tax planning and accountancy advice, as well as financial solutions. She also has extensive experience in handling the personal affairs of her clients regarding will writing.

Paula has gained a reputation for her personable and tailored approach to handling clients' affairs.

Paula frequently contributes articles and insights on her specialist areas.

PERSONAL

Hobbies
Supporter of Liverpool FC and all things salsa. On the weekends she enjoys gardening - weather permitting!

Sector experience
Business services and Legal Services

Specialisms
Will writing and probate, corporate tax, Financial solutions.

Telephone
XXXX-XXXX-XXXX

Email
XXXX@gmail.com

Example 2

MATTHEW X



Qualifications: FCCA

Location: Greater Manchester

Position: Director

Email: xxxx@hotmail.com

Telephone: XXXXX-XXXXX

Expertise:

- Business start-ups
- Family businesses
- Will writing and probate
- Bookkeeping

Matthew joined X firm Greater Manchester Office in 1992, becoming a Chartered Certified Accountant in 1995. Since then, he has built long-standing relationships with his clients, giving them well-rounded support in all of their tax and accountancy affairs. He has worked with both big and small businesses and has recently become accredited to undertake probate work. His clients note his quick responses and practical approach.

Example 3

NICOLA X LLP TEP

**Probate Manager**

xxxx@outlook.com

Nicola is a qualified solicitor and focuses on the legal services side of the firm's work. She has specialist expertise in probate, estate administration, trusts, wills and lasting powers of attorney, having worked in this sector for 10 years before joining our firm in 2017 as a Probate Manager.

Nicola is a full member of the Society of Trust and Estate Practitioners (STEP), specialising and excelling in private client and wealth management.

Outside of work, she likes spending time with her dogs and attending music concerts.

4. *Complaints and redress information*

BEST PRACTICE REQUIREMENTS:

1. In accordance with your duty under the bye-laws to investigate complaints, you should also make the following information readily available to consumers on your website or via other platforms (as previously discussed):
 - details of your firm's internal complaints procedure;
 - details of how and when clients can make a complaint to the Legal Ombudsman; and
 - details of an Alternative Disputes Resolution (ADR) provider.
2. You should also consider publishing the link to ICAEW's complaints section of its webpage to give consumers further information. This is particularly important if you are offering bundled services.

4.3. As well as notifying clients of this in writing, you should also make the information above readily available to consumers on your website. If you do not have a website, you should publish it on other platforms such as social media, or on request by email or post. Conclusions from an Optimisa report on Client Care Letters and how consumers best receive and engage with information also suggested that 'alternative means of conveying this material might be more effective, for example including it in a separate leaflet that consumers could be signposted to, or reminding them of the information further along the process'.³

4.4. You should also consider publishing the link to [icaew.com/complaints](https://www.icaew.com/complaints) to give consumers further information.

4.5. Being upfront and transparent about your complaints procedure acts as a guarantee of service quality in the eyes of consumers.

4.6. It is also one of the key distinguishing factors when consumers are comparing regulated and unregulated firms.

GUIDANCE

4.1. These best practice requirements build on existing Probate Regulations 7.1 and 7.2 and Disciplinary Bye-law 1.1. These require that you firstly establish a procedure to deal with complaints and, secondly, notify clients of this in writing before an engagement along with: the name of the principal in your firm; their right to complain to ICAEW; and in the case of legal service provision, the right to complain to the Legal Ombudsman. Consumers should also be made aware of the complaints process at the end of the engagement.

4.2. When you enter an engagement with a consumer for the provision of legal services, ADR Regulations also apply. These require that you provide details of an ADR provider in the case that you cannot resolve a client's complaint through internal procedures. ADRs are an alternative to ICAEW's complaints procedure and while you are not obliged to use an ADR provider, details still must be supplied. Details of the ADR Regulations can be found within [ICAEW's engagement letter helpsheet](#).

³ <https://bit.ly/2HBx514>

5. *Regulatory information*

BEST PRACTICE REQUIREMENTS:

You should also make the following information readily available to consumers on your website or via other platforms:

- that you are regulated by ICAEW for probate services;
- details of the compensation arrangements, namely consumer's ability to claim from the compensation fund; and
- that the firm has professional indemnity insurance (PII).

GUIDANCE

5.1. These requirements build on existing Probate Regulations 2.10, 2.11 and 3.7. These require that you comply with ICAEW's PII Regulations by having a minimum level of indemnity of £500,000 per claim and with the Probate Compensation Scheme. They require that clients are informed in writing of these compensation arrangements at the start of the engagement. However you should also make the information above readily available to consumers on your website. If you don't have a website, you should publish it on other platforms such as social media, or on request by email or post.

REGULATORY LOGO

5.2. To help you implement these requirements we have developed an ICAEW logo for your firm to display on your website that will show you are accredited and regulated for probate. You can download the logo from [icaew.com/logos](https://www.icaew.com/logos)

5.3. You should consider making this logo an active link to the recently published article for consumers on [ICAEW's role as a regulator](#), that, as noted above, contains this best practice information. We believe that the unity in the information presented by all ICAEW firms and the promotion of your accreditation will thus have more resonance with consumers.



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6. *Engagement letters*

BEST PRACTICE REQUIREMENTS:

1. Once the terms of engagement have been discussed and agreed, you should provide written confirmation of these terms in an engagement letter.
2. You should pay particular attention to the inclusion of the following information:
 - details of who in your firm will be undertaking the work;
 - the scope of services included in the engagement;
 - the total price including VAT;
 - the basis upon which the fees will be calculated;
 - a basic timeline or planned schedule of actions;
 - any disbursements or expenses anticipated; and
 - the frequency and method by which the consumer should expect you to communicate with them.

GUIDANCE

6.1. We believe it is always best practice to issue written confirmation of the terms of an agreement in an engagement letter, however simple or complex the arrangement is. This is to protect both you and your client and avoid any potential complaints by ensuring the details of the engagement are clear and agreed upon by both parties.

6.2. Replicating some of the price and service information detailed above will further show professionalism by having clarity and consistency in information and communication.

6.3. To help you with this, we have recently updated our [engagement letter templates](#), reflecting the core information we suggest you include. Please familiarise yourself with the new changes, found both in the general template and the addition of a new probate section.

6.4. Please note, however, that you are not required to use this specific template. The Code of Ethics 240.2.b only requires that the arrangement is confirmed in writing before an engagement starts. ICAEW Library may have other more suitable templates available for members or you may wish to use your own. Therefore it is at your discretion how you incorporate the new suggestions in a way that is proportionate and makes sense to your firm.

6.5. For example, you may consider communicating the suggested information that is not already covered by your firm's current engagement letters by way of a separate appendix.

6.6. When either editing our templates, or working on your firm's current ones, we suggest you consider the findings of the Optimisa report that assessed consumer engagement with Client Care Letters. It concluded that currently, the language used, the length of the document and the method of communication are barriers to consumer engagement. To make engagement letters more effective, you should consider the eight key principles they have developed:

Make it Easy

1. Show a clear purpose
2. Keep it concise
3. Put it in plain English
4. Prioritise information

Make it Attractive

5. Personalise information
6. Highlight key information
7. Make it easy to read

Make it Timely

8. Consider additional touchpoints

7. Service quality

7.1. At its core, service quality can be split into two main branches:

- technical advice; and
- service delivery.

7.2. Therefore, building on the requirements of the fundamental ethical principle of professional competence and due care code of ethics 130.1 and the continuing professional development declaration:

BEST PRACTICE REQUIREMENTS: TECHNICAL ADVICE

1. You should strive to achieve each of the following aspects of technical competence with every engagement:
 - a. accurate drafting
 - b. valid execution, for example being correctly signed and witnessed
 - c. understanding a client's wishes and circumstances
 - d. comprehensiveness
 - e. ease of probate.

7.3. The CMA identified the five aspects of technical competence regarding wills and probate,⁴ outlined above in point 1. a – c of the best practice requirements. You should strive to achieve each of these aspects with every engagement.

7.4. Your firm will also, of course, continue to be aided and monitored by our Practice Assurance scheme to ensure your firm is meeting certain quality assurance standards.

GUIDANCE

7.5. As well as making consumers feel as though they have received good value for money, a high level of service quality is directly linked to consumer retention.⁵ Focussing your efforts in this area could incentivise consumers to return to your firm for other services.

7.6. Reputation is still the most important key choice factor for consumers.⁶ Therefore this is a great opportunity to elevate and better display the quality of your firm's services and there are a plethora of ways in which you can do this.

7.7. Research shows that consumers presume that all firms have a high, and/or the same level of technical competence in delivering legal services,⁷ and thus only judge quality on service delivery. It is this that has contributed to what the CMA describes as an 'information asymmetry' between the provider and consumer.⁸

7.8. However, with new changes on our consumer facing web pages explaining what consumers should expect from their regulated firms, it is especially important that you are not just meeting, but exceeding these expectations in order to stand out.

BEST PRACTICE REQUIREMENTS: SERVICE DELIVERY

You should strive to achieve the following aspects of service delivery:

- empathy – treating the consumers as individuals, not just another file, understanding their situation and relating to it;
- efficient processes – ensuring things progress smoothly and on time;
- achieving outcomes – obtaining a grant of probate; delivering a will; administering an estate;
- clarity and de-mystification – unravelling the legal world with clear explanations (no jargon), signposting what should happen and when, and guidance on charges;
- proactive use of legal knowledge – explicitly suggesting alternative options, tailoring advice to individual circumstances or challenging a client's assumptions; and
- professional presentation – both personally in terms of dress and appearance, but also the physical office environment.

⁴ <https://bit.ly/2jyXuP3>

⁵ <https://bit.ly/2qwGBdU>

⁶ <https://bit.ly/2tbHSXj>

⁷ <https://bit.ly/2JwvtsH>

⁸ <https://bit.ly/2jyXuP3>

GUIDANCE

7.9. The second aspect to good service quality is in the delivery, and this is something far more observable by consumers.

7.10. Research conducted by the Legal Services Consumer Panel (LSCP)⁹ produced the six most important aspects of service delivery to consumers, detailed above. It is useful to always keep these in mind when looking for ways to assess, review and improve your firm. However, we have also developed the following simple practical tips that will help you to effectively elevate your service delivery.

HOW TO IMPROVE ON SERVICE DELIVERY: PRACTICAL ACTIONS

Good communication

7.11. According to one survey, 69% of customers define 'good' customer service as having their issue or problem addressed quickly and efficiently. 72% of those interviewed said things like being transferred from person to person or having to explain the situation several times were major frustrations.¹⁰

7.12. Therefore the manner and speed in which you respond to consumers is very important in their perception of the quality of your service. Below we detail some of really simple ways you could demonstrate this.

Service level agreements (SLAs) and service guarantees

You could consider establishing internal SLAs for communication responses, whether that be by telephone, email, website enquiries or social media.

You should decide at your discretion how quickly you respond, for example within the hour, 4 hours, 24 hours etc. This of course will depend on the size of your firm, the typical number of communications you receive and your capacity.

You can communicate this to the consumer via your website as a type of service guarantee. While we do not necessarily suggest that compensation be given should the guarantee not be met, as is

usually involved in service guarantees, it is still useful to make the consumer aware of the typical time you take to respond.

Live chat

Another way to improve how consumers can interact with you is by enabling a 'live chat' function on your website. This will help engage the consumer on the first interaction, so they are more likely to continue their enquiry with your firm. It will also overcome consumer frustrations over receiving automated responses.

DIFFERENTIATE YOUR BUSINESS

7.13. A key way to stand out from other firms as price transparency takes prominence is to differentiate yourselves from your competitors and ensure that this is at the forefront of your messaging. Please bear in mind when publishing this information the requirements of Section 250 of the Code of Ethics in relation to the marketing of professional services. You can differentiate your firm in a number of ways:

Be specific

Think about the specific aspects and elements of your services that display quality and make sure they are the focus of your online and social media presence. This could be the choice of services you offer, the speed in which you reply, an interpersonal aspect of your communication or a successful track record.

Display expertise

Communicating your level of expertise and experience within a service will assure consumers of your capability, competence and performance history. You can do this by:

- clearly displaying the regulatory and accreditation logo on your website, emails, letters and publications;
- displaying any awards gained in the industry; and
- displaying the qualifications and profiles of relevant staff.

As well as promoting the quality of your services, the inclusion of this information also acts as a

⁹ <https://bit.ly/2JwvtsH>

¹⁰ <https://bit.ly/1neiwQy>

rationale and explanation for price differentiations for services if a higher grade of staff is undertaking the work.

Have a vision statement

You should consider creating a clear vision statement for your business, thus creating a culture through all levels of the firm. By doing so, you are communicating what service quality means to you and setting expectations with the consumer.

MAINTAIN A QUALITY WEBSITE

7.14. In the digital era a website is more often than not the first point of contact for consumers and can be seen as a reflection of the quality of the rest of your services. Thus having a website that not only looks good and is fit for purpose goes a long way to demonstrate service quality to the consumer.

The basics

- Make sure there are no broken links on your website.
- Ensure there is no missing or incorrect information – check and update regularly.
- Ensure that the website speed and uptime is not slow.
- Check and make sure that there are no spelling or grammatical errors.
- Ensure that contact information is available and correct.
- Optimise your website for use on a mobile smartphone.

Layout and presentation

When consumers visit your webpage, they need to be able to see instantly what you do and who you do it for. For example:

- Use the homepage as a clear presentation of who and what your firm is, so that consumers can immediately see how they will benefit from your services.
- Present information logically and have a clear navigation path.

- Keep the design and layout consistent, no matter which sub-section of the page the consumer is clicking on.
- Keep the design simple and don't avoid using white space. It helps target the consumer's attention to the most important information on the page.
- Present information clearly. Use headings, bold text and contrast in colour to separate information.
- Ensure sentences are short and don't have long paragraphs of information.
- Change language like 'we' and 'our', to 'you' and 'your' to engage the consumer. For example replace 'our case studies' to 'your potential success story', or 'our staff' to 'your trained accountants'.
- Make it easy to get in touch with you – put contact information at multiple points during the website journey.
- Ensure that email links are up to date and that any impersonal mailbox is regularly reviewed by a member of staff.

Accessible information

It is crucial to have your target audience in mind when designing your website. Inaccessible legal or service-specific jargon can put the consumer off, so it is important that you use familiar language.

In some cases, however, talking about probate will unavoidably involve using unfamiliar terms. Where this is the case, you should think about:

- giving simple explanations of a service and what's involved;
- using short video clips to better explain information; and
- using the hover over 'i' information function to give quick explanations and definitions of words without needing to click off a page.

We have developed the ICAEW consumer section of our own website to better help you with this. The section includes:

- guidance for consumers who need to use the service of probate;

- a glossary with definitions of key legal terms;
- an explanation of what is involved in the process; and
- what they should expect from their service provider.

We think this will be a really useful tool for you when developing your website. Rather than having to develop the content yourself, you will be able to link through to this section of our website, or use the content from our website when using the 'i' information function, for example.

ENGAGING WITH CONSUMER FEEDBACK

7.15. We believe that acquiring customer feedback is a great way to improve the quality of your service. Consumers like being asked for their opinion; it shows that you care about their experience and are willing to adapt and improve if necessary. It is also a fantastic way of gaining information and insight. **ICAEW's Technical Advisory Service** have issued a helpsheet on this to help firms engage effectively with reviews.

7.16. There are two main ways that you can do this:

- engaging with independent feedback platforms; and
- using your own client satisfaction surveys.

Independent feedback platforms

The use of online review platforms is commonplace in today's society and consumers use them to inform their choices. It is reported that '88% of consumers trust online reviews as much as personal recommendations'.¹¹ More than just ratings, consumers really pay attention to the comments when considering a purchase.

Engaging your firms with such platforms can communicate to new consumers a higher level of transparency and a commitment to continuous improvement. As Forbes puts it, 'a satisfied customer is one of the most powerful marketing tools you have'.¹²

When engaging with independent feedback platforms, we suggest that you are mindful of the following things:

- **Encourage consumers to leave feedback.** Often, consumers are only prompted to leave online reviews if they have had a negative experience. Encouraging satisfied and loyal customers to review your firm can make third party platforms work for you.
- **Reply to all reviews, and promptly!** Whether positive or negative, you should respond to all reviews in a timely and polite manner. Replying to positive reviews makes consumers feel valued and replying to negative reviews shows prospective consumers your willingness to investigate and resolve issues.
- **Be mindful of GDPR.** To avoid non-compliance with GDPR, be sure that online responses do not contain confidential or personal information about the consumer. If you need to discuss the issue further with the client, prompt them to contact you directly.
- **Be personable and friendly.** You do not want your responses to sound like a standardised template!
- **Seek redress on malicious, inaccurate or fraudulent reviews.** As already noted, you should always respond politely to reviews. However, if reviews are factually incorrect or have been written by someone you don't believe to be your client, speak to the third party platform about getting these comments removed.

Client satisfaction surveys

You should think about sending surveys out to clients after an engagement as these are one of the most effective ways of gathering information.

When doing so, you might consider anonymising the surveys as it has been reported that consumers are less likely to complete them if they are required to submit personal information. You should also make sure they are easy to complete and return. You can do this by using freepost returns or enabling consumers to complete it by email.

¹¹ <https://bit.ly/2rV5UbH>

¹² <https://bit.ly/2QfoyET>

It is useful to think about the kind of information you want to receive when developing the questions. A good place to start is to reflect what are often regarded as 'service quality indicators'. This would include things such as:

- the timeliness and regularity of communications;
- the perceived level of expertise of staff working on the case; and
- the clarity of pricing at the start and throughout.

Surveys can also be used to gather information that will help you to expand business opportunities and retain current consumers. You can ask questions such as:

- how the client found out about you; and
- if they require information or advice on any of the other services you offer.

Surveys can also be used to gather client testimonials which you can later publish on your website to help promote your service quality. You must ensure you gain approval from the consumer before using their testimonial in any promotional material.

Appendix B to this document contains a customer satisfaction survey example template.

Appendix A

Pricing support

FIXED FEE

Packaged services

While the following templates can be used to clearly display pricing, you should also go into more detail about the service as a whole, an explanation of what is involved, what it includes, excludes and likely timeframes.

You should also consider giving advice on what package is best for different consumers based on circumstances, such as the value of their estate.

Please note, this is only a template, the list of services is not intended to be exhaustive nor is it proposing the packages your firm should offer.

Edit the following templates as appropriate:

SCOPE OF SERVICES	PROBATE PACKAGE			
	Package 1 £XXX*	Package 2 £XXX*	Package 3 £XXXX*	Package 4 £XXXX*
Apply to Probate Registry for the Grant of Representation	X	X	X	X
Receive Grant of Probate	X	X	X	X
Place statutory notices in local newspaper		X	X	X
Review all paperwork (including the death certificate and original will [if applicable])		X	X	X
Obtain values of the estate, assets and liabilities		X	X	X
Calculation of inheritance tax due		X	X	X
Calculation of gross and net values of estate		X	X	X
Advice on searching for lost assets			X	X
Prepare oaths of the administrators			X	X
Pay all known debts and liabilities of estate			X	X
Pay legacies			X	X
Finalise the estate tax				X
Distribute the residuary estate				X
Other ...				

*Price excludes VAT and disbursements

ADDITIONAL COSTS MENU

The following template provides guidance on how to display how VAT is applied to your services, the details of any likely disbursements and services that are charged at an additional cost.

ADDITIONAL COSTS MENU			
Service	Price	VAT	Subtotal
Package 1	£XXX	£XXX	£XXX
Package 2	£XXX	£XXX	£XXXX
Package 3	£XXXX	£XXX	£XXXX
Additional house visit. XX hours	£X	£X	£XXX
Hard copy paper report	£X	£X	£XX
Bankruptcy search	£XX	£X	£XX
Statutory advertisement	£XX	£X	£XX
Disbursements	Price	VAT	Subtotal
Commissioners fee	£X per executor	£X	£XX
Probate application fee	£XXX	£X	£XXX
Expenses	Price	VAT	Subtotal
Other professional fees	Price	VAT	Subtotal
Other third party costs	Price	VAT	Subtotal
Additional costs total:			£ XXX

HOURLY RATE/TIME SPENT

The following template explains the rate of pay through conveying the grade of staff, their experience, accolades and any other influencing factors. Please add information where you feel appropriate.

You should consider accompanying this with a top line service description table (displayed below) showing who typically undertakes what work and how much time will be spent. As this is top line it should still be supported with a more detailed breakdown of what tasks are being done as part of the service.

You should use the additional costs menu to detail disbursements and extra costs as and when applicable.

STAFF	HOURLY RATE
Partner	
Name	£XXX
<i>Jump to X's profile *link*</i>	
Manager	
Name	
<i>Jump to X's profile *link*</i>	£XX
Assistant	
Name	
<i>Jump to X's profile *link*</i>	£X

SERVICE DESCRIPTION	HOURS SPENT	RATE	SUBTOTAL
Desk research			
Obtaining grant of probate			
Estate administration			
		Subtotal:	£XXX
		VAT:	£XX
		Total:	£XXX

SCENARIO-BASED MODELS

As mentioned in the guide, scenario-based pricing models can be used to help illustrate to the consumer a real-life probate scenario, what is involved in the process and what can often cause complications. We suggest that these are used to show the consumer the breakdown of tasks that can be involved, the likely timeframes and the price your firm, with your unique pricing model, would attach to it. We have included a table below to help you display some of this information.

While we suggest that you use your own firm's scenarios, you may wish to seek guidance from those displayed below.

Please note that the use of scenario-based models are meant to supplement, not replace the publication of your pricing models and cost of services.

Scenario 1 £XXXX

Obtaining a grant of probate (simple)

You are dealing with a new client whose mother has recently died.

Her mother was a widow, so the last surviving parent.

There is a valid, non-contested will.

The daughter, your client, has been named as the sole executor in the will.

The total value of the estate is £200,000 and consists mainly of bank accounts.

There are no complicating factors.

You will need to help your client to obtain a grant of probate, but you will not need to administer the estate.

Scenario 2 £XXXX

Full administration of estate including obtaining a grant of probate (complex)

You are dealing with a new client whose father has recently died.

His father was a widower, so the last surviving parent.

The deceased also inherited the entire estate of their spouse.

There is a valid and non-contested will.

The son, your client, has been named joint executor in the will with his sibling.

The total value of the previously inherited estate is £370,000 and the value of the estate in question is £350,000. The combined total takes the value of the estate over the IHT threshold.

The estate includes cash, residential properties, a property abroad and a private pension scheme.

There are beneficiaries under 18 so the process involves setting up a trust.

You will need to help your client to obtain a grant of probate and administer the estate.

TASK BREAKDOWN	TIMEFRAMES	COMPLICATING FACTORS (IF ANY)

BUNDLED SERVICES

The following template provides guidance for ICAEW firms offering bundled services to the consumer. It gives an example of how you might communicate the different services involved in an engagement and thus the cost attached to it.

SERVICE	ACTIVITY	SERVICE COST £	DISBURSEMENTS £	VAT £	TOTAL £
Probate	Securing the grant of probate	xxx	xxx	xxx	xxx
Estate administration	Realising the assets and effecting the distribution to beneficiaries	xxx	xxx	xxx	xxx
Accountancy	Completing the books and records of the deceased's partnership accounts	xxx	xxx	xxx	xxx
Tax	Resolving the income tax challenges from HMRC for previous years	xxx	xxx	xxx	xxx
Total		xxx	xxx	xxx	xxx

In order to ensure clarity, and help both you and the consumer, we suggest that you also communicate the following:

- The prices above are indicative based on the information supplied.
- Where circumstances change leading to the charges likely to be higher, we will communicate these for agreement before the work is undertaken.
- In particular, the taxation services may increase if HMRC decides to further challenge on the tax treatment of the deceased's income status.

We suggest that this is accompanied by a further explanation for each of the charges.

Appendix B

Customer satisfaction survey

HOW DID WE DO?

Your feedback is important to us. By continually monitoring the level of service we provide to our customers we are able to maintain a high standard of customer satisfaction.

Please take a few moments to complete this survey and return by post to: XXXXXXXXXXXXXXXXXXXX or by email: XXX@XXX.com

Name(s) (optional)

Case/file reference number (optional)

1) OUR SERVICE

	Excellent	Good	Satisfactory	Fair	Unsatisfactory
How would you rate the overall service from us?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were you kept regularly informed of the progress of your case?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were communications informative and easy to understand?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did we respond to emails and calls promptly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was our cost information clear?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2) ABOUT US

How did you learn about us

Existing client Recommendation Website

Other (please state)

3) WHAT DID YOU LIKE MOST ABOUT THE SERVICE YOU RECEIVED FROM US?

.....

.....

4) DO YOU HAVE ANY SUGGESTIONS TO HELP US IMPROVE OUR SERVICES?

.....

.....

Did you know we offer a wide range of other professional services including: XXX, XXX and XXX?
 If you would like more information, please contact us on XXXXXXXXXXXXXXX, email: XXX@XXX.com

THANK YOU FOR COMPLETING OUR SURVEY.

Your response is completely confidential. You do not have to specify your name or a reference number if you do not wish to.

Probate resources

ICAEW supports its probate-accredited firms with preparation for monitoring visits, professional development, and resources including:

PROBATE NEWS

A regulatory update containing the latest probate technical guidance and best practice information. Issues are available at [icaew.com/probatenews](https://www.icaew.com/probatenews)

PROBATE MARKETING GUIDE

As well as case studies, the guide contains practical advice and marketing tips to help your firm boost this revenue stream. Visit [icaew.com/probate](https://www.icaew.com/probate) to download a copy.

TALK PROBATE

Connect with other practitioners and grow your professional network with our specialist online community. Talk Probate gives you the opportunity to share knowledge and discuss practical issues with peers and colleagues.

Regulatory contacts at ICAEW probate accredited firms are set up with automatic access to this online community. Please visit [icaew.com/talkprobate](https://www.icaew.com/talkprobate) to login.

PROBATE HELP

ICAEW produces helpsheets and checklists for practical and technical help for our probate-accredited firms. Visit [icaew.com/probatehelp](https://www.icaew.com/probatehelp) to access these and other probate related resources including probate and alternative business structures FAQs.

We strongly recommend familiarising yourself with the document Regulatory advice on when to seek accreditation for probate. The document contains guidance on technical issues such as executorship, what can be done without a probate licence and at what point probate becomes contested.

ICAEW RESOURCES

Additionally further useful resources from ICAEW are available at the following web pages:

[icaew.com/helpsheets](https://www.icaew.com/helpsheets)

[icaew.com/logos](https://www.icaew.com/logos)

[icaew.com/practice](https://www.icaew.com/practice)

[icaew.com/cpd](https://www.icaew.com/cpd)

[icaew.com/coreATS](https://www.icaew.com/coreATS)

[icaew.com/events](https://www.icaew.com/events)

CONTACT US

If you have any questions for ICAEW relating to probate please call Advisory Services:

T +44 (0)1908 248 250

E contactus@icaew.com

ICAEW's regulatory role is distinct from its representative role. Managed by our Professional Standards department, we protect the reputation of ICAEW, our members and the chartered accountancy profession. We ensure our students, members and firms act with integrity and are competent. Our role is to:

- authorise our members and firms to undertake work regulated by law: audit, local audit, investment business, insolvency work, and probate;
- monitor firms and insolvency practitioners to ensure they undertake work correctly and to the highest standards;
- investigate complaints and hold members and firms accountable where they fall short of standards;
- lobby and comment on proposed changes to the law and regulation affecting our stakeholders; and
- provide guidance, advice and award-winning training films to ensure our stakeholders comply with laws, regulations and professional standards.

There are over 1.8m chartered accountants and students around the world – talented, ethical and committed professionals who use their expertise to ensure we have a successful and sustainable future.

Over 180,000 of these are ICAEW Chartered Accountants and students. We train, develop and support each one of them so that they have the knowledge and values to help build local and global economies that are sustainable, accountable and fair.

We've been at the heart of the accountancy profession since we were founded in 1880 to ensure trust in business. We share our knowledge and insight with governments, regulators and business leaders worldwide as we believe accountancy is a force for positive economic change across the world.

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