

Apprenticeship - Probate Technician Standard

The Occupation

The role of a Probate Technician is to support the fee earning activities of a principal probate practitioner by working on a brief defined by the supervisor to action legal and tax procedures related to the administration of an estate.

The role is varied as no two estates are the same, and given that this is helping clients often at an emotional time you must be able to demonstrate empathy and understanding. The law of probate and estate administration does overlap with many other areas of law and will suit those who have a willingness to learn and develop a wider working knowledge beyond probate.

It is an entry level role, suitable for candidates of all levels of ability and experience including those new to the industry with no legal qualifications. As a Probate Technician you will deal with the affairs of a deceased person ("estate") and liaise with their representatives (executors or administrators) to administer the estate in accordance with their Will or under the Intestacy provisions, (should they have not left a Will).

Probate Technicians work in a variety of legal teams and settings recognised in the private client industry and deal with a broad range of other professional persons including; accountancy, banking, tax, trust and charitable professionals in the course of administering an estate.

Job Role

Probate Technicians work under the direct supervision of an Authorised Person, e.g. a Council for Licensed Conveyancers (CLC) Licensed Probate Practitioner, a Solicitor, or a Fellow of the Chartered Institute of Legal Executives or equivalent.

Achieving the apprenticeship will enable you to build a professional career in probate law and work on a range of standard matters. You will be competent to manage a case load of non-inheritance tax and non-complex estates either fully administering the estate or dealing with parts of the process.

You will be able to demonstrate that you understand the requirements and restrictions of working in an environment which is regulated together with consumer and legal requirements associated with probate matters; and are able to deal with your day to day tasks accordingly or seek assistance where needed.

You will demonstrate your competency against the behaviours, knowledge and skills below:

Behaviours

Critical Thinking	Analyse, interpret and evaluate information in order to apply the law (or regulatory code of conduct) appropriately to progress a matter.
Motivation and Enthusiasm	Demonstrate a positive and proactive approach to work. Take accountability and responsibility for own actions.
Relationship Management	Build and maintain client and third party relationships in a professional and ethical manner. Communicate with clients in a caring and understanding manner to support them through difficult circumstances; and be able to work sensitively with empathy, acting with integrity and honestly to support the provision of proper legal outcomes on behalf of client(s).

Knowledge

Business	Understand the differing legal services delivery business models, including those used by their employer. Understand and apply commercial practices of the employer.
IT	Understands and applies the technology that is available to achieve the outcomes within the area of probate.
Legal and Technical	Working knowledge of probate and succession law to include: <ul style="list-style-type: none">- awareness of and understanding of the Non Contentious Probate Rules 1987; and- knowledge and application of taxation elements within probate; and- awareness of Trust and Property law and relationship with probate.
Risk and Compliance	Has an understanding of the regulatory policies and procedures, to include those applicable to the employer.

Skills

Adaptability and Resilience	Demonstrates an ability to analyse and prioritise the current workload. This should include taking into consideration any deadlines and show an ability to re-prioritise accordingly, when necessary.
Client management	Provide excellent levels of client care and communication through regular client contact that is appropriate to the outcome. Meet reasonable expectation of clients and provide clear and appropriate advice.
Communication and Literacy skills	Convey information to clients and others in a clear and simple manner (where appropriate, interpret technical language using plain English) in both written and oral communication.
File management	Create and maintain accurate file records in line with employer's policies and procedures, taking into account Data Protection and Confidentiality issues.
Legal Advice and Compliance	Apply attention to detail in all work to ensure correct legal and tax advice is provided. Accurately follow internal (and external) processes and carry out procedures to ensure a matter is fully compliant. Uphold all relevant codes of conduct.
Legal Rigour	Draft accurate and complete legal documentation, taking pride in the delivery of high quality work. Identify legal or tax resources to undertake relevant research to progress a matter; and escalate when a matter becomes complex or beyond own agreed level of accountability.
Numeracy	Understand, interpret and be able to apply numbers accurately in order to calculate the standard financial aspects of a small case load of non-inheritance tax and non-complex estates; and maintain compliant and complete record keeping.
Planning	Manage time autonomously to ensure deadlines, agreed performance targets and milestones are achieved, as applicable.

Duration

Typically 18 to 24 months.

Entry Requirements

There are no formal entry requirements.

Qualifications

Apprentices without level 2 English and maths will need to achieve this level prior to completion of their apprenticeship.

Link to Professional registration and progression Level

Meeting the competency standard of the apprenticeship will enable the successful apprentice to apply for voluntary professional registration with the CLC and professional membership with the Society of Estate and Trust Practitioners.

Level

This is a Level 4 apprenticeship.

Review date

The standard will be reviewed after three years.