



LEGACIES

*Encouraging
the giving of gifts*

General Synod of the Scottish Episcopal Church
Scottish Charity Number SC015962

Introduction

Many congregations have received legacies in the past. That is a gift of money or a bequest of belongings left in the Will of a faithful member or well-wisher of the church. Some legacies are left as acts of thanksgiving to God, for blessings received throughout life. Others are left to ensure that a dream can become a reality or to give after death that which one was unable to give before, in today's often 'asset rich but cash poor' society.

Congregations receiving a legacy accept these welcome and often timely gifts with joy and surprise. Some congregations, however, seriously encourage their members to consider leaving the church a legacy in their Will – this is sensitive ground. There is always a poignancy associated with writing one's Will and making the arrangements to finalise one's affairs. Nevertheless, as we are charged by the Prayer Book, we should not shy away from encouraging our members to 'put their affairs in order' and to consider the local and national church as a worthy cause should they chose to leave legacies for 'good works' or charities.

"And if he have not before disposed of his goods, let him 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."

From the Visitation of the Sick 1929 Scottish Prayer Book

To encourage good practice it is advisable for the Vestry to appoint a 'Legacy Advisor'. This is a post that requires great tact and diplomacy and also charges the holder with the Vestry's authority to engage members of the congregation in conversation, discussion and debate on the subject. Because of this the person appointed should be someone of discretion who is a respected member of the congregation. This person will be expected to keep confidentiality and to work closely with the rector and Vestry, as appropriate.

This booklet is designed to help the Vestry discuss the subject of encouraging legacies and how to go about appointing a legacy advisor.

10 facts about Wills and Legacies

- *Within the decade it is estimated that the amount of money changing hands as a result of death will increase to c.£40 billion a year from c.£16 billion.*
- *Only 25% of people under 65 make a Will but this rises to 65% of those over 65.*
- *The charity world is hoping to treble the number of people making a Will.*
- *No-one can leave a legacy to charity unless they have a valid Will.*
- *Charitable Wills often contain three or more bequests to charities.*
- *Any money left to charity, including the church, in a will is free from Inheritance Tax.*
- *80% of the population say they are likely to give money to a charity or their church during their lifetime but only 5% leave a gift in their Will.*
- *A legacy of 'what remains' (a residual legacy) in an estate after other gifts and bequests have been dealt with is often much larger than one specifying a specific amount or percentage.*
- *Executors and Trustees nationally have between £25 and £35 million a year to allocate at their own discretion to charity.*
- *By actively promoting legacies, many major charities have considerably increased their income in recent years.*

Six steps to help encourage the leaving of legacies in your congregation

- *Regularly teach on the principles of Christian giving and the making of Wills.*
- *Explore how the leaving of a legacy can continue one's giving to one's congregation after death.*
- *Discuss how the leaving of a legacy can be an effective way of giving later than which one would have liked to give today. Explore what it means to be asset rich but cash poor.*
- *Appoint a Legacy Advisor, who can be available to members of the congregation to discuss, in confidence, the making of a Will.*
- *Ensure that the congregation knows it has a Legacy advisor and what their role entails.*
- *Regularly review the above.*

Congregational Legacy Advisor Job Remit

- *To ensure the six step plan above is maintained by the Vestry and the rector.*
- *To be responsible for publicising the concept of legacies. This will include:*
 - *Keeping up to date with the resources available in the Diocese, Province, wider church and other agencies.*
 - *Making sure that this publicity is available to all members of the congregation.*
 - *Highlighting local initiatives and arrangements in relation to the annual/biannual 'Make a Will' campaign run by local solicitors; Will Aid and leaving a legacy to charity.*
- *To assist those who need initial advice on the process of making or revising a Will to include a legacy.*
- *To develop contact with the local solicitors to ensure they know and understand the role of the congregational legacy advisor.*
- *To monitor the level of legacy giving in the congregation in partnership with the treasurer, in order to review the effectiveness of the role and process.*

Why it is important for Christians to have made a Will

Scripture makes it clear that God's people should pass their inheritance on to their children, next of kin or chosen inheritors. St. Paul said:

"If anyone does not provide for their relatives, and especially their immediate family, they have denied the faith and are worse than an unbeliever."

1 Timothy 5:8

- *Making a Will legally protects your property after your death and ensures that your dependants (such as your spouse and children) are provided for.*
- *A Will can be seen as a final act of faithfulness and thanksgiving to God and as a way of sharing in God's mission; thereby making a difference through a significant gesture of generosity.*

St. Paul also said:

"Just as you excel in everything - in faith, in speech, in knowledge, in complete earnestness and in your love for us - see that you also excel in this grace of giving."

2 Corinthians 8:7

- *By giving to your church, mission agency or favourite charity, you can know that you are providing a gift of hope that will live on long after your death.*
- *Making a will fulfils the call upon Christians to be good stewards and acknowledges that all we have comes from God's good grace and should be shared with others.*

Spreading the Message

People usually make a Will or revise their Will when they reach certain stages in their lives. Such as:

- The Start of a family*
- The purchase of property*
- The death of a parent or spouse*
- A change in financial circumstances*
- The experience of making a Will by a close family member or friend*

The 'Six Steps' outlined earlier in this booklet can help ensure that all members of a congregation are made aware of the needs of the whole church when such occasions as above are experienced. The message is more likely to be heard and acted upon by those most committed to the church and its mission. There will also be others, however, who while not members of the church are sympathetic to what it does and may wish to support it.

A variety of approaches is needed to respond to all of God's people. The church needs to be sensitive to individuals and not exclusive in the way it handles its teaching on Wills and legacies. People only leave a legacy when they are ready to do so. It is important then, that people are never pressurised or specifically asked to do so.

A face to face conversation in a relaxed atmosphere is the most sensitive approach and should only occur after the individual concerned has made an approach or request to do so. This can be encouraged quite naturally if there is regular teaching and publicity about Wills and legacies.

Looking to the future

The 'Six Steps' can be seen as a long-term strategy, which needs to be kept on the agenda of the church and regularly reviewed. It is a continuing process and informing people about Wills and legacy giving needs to be done regularly and in a wide variety of different ways. Like Gift Aid it should always be with us.

How?

- By ensuring that up to date information on Wills and legacies is always available.*
- By including articles at regular intervals in the magazine - these can be useful in reminding and informing the congregation.*
- By listing separately any legacies received in the Annual Report and Accounts.*
- By reporting in the magazine, local press, national church press how any legacy received is to be used in the furtherance of the mission of God.*
- By encouraging local solicitors to display information about leaving a legacy to the church in their offices.*
- By alerting local solicitors responsible for the distribution of discretionary legacies of the needs and activities of the local church particularly as well as any special and specific community based projects or hopes.*

*Making a Will
is part of our
Christian faith.*

*It is a positive way of enabling
us to further the mission of God
and the ministry of God's
people.*