

Integrating different forms of data

This is an extract from a report, 'Inheritances and the family: attitudes to will-making and intestacy', NatCen 2010

Below is the background and methods, and an extract from Chapter 3 on will-making where the data from a quantitative survey is closely integrated with data from qualitative interviews. Where the quantitative data provides data on the prevalence of the public's preferences to will-making, the qualitative data provides some explanation of why people hold different attitudes to behave in a different way.

Background

This study was conducted by NatCen and Cardiff University to help inform the Law Commission for England and Wales in conducting their review of the law of intestacy (the rules governing the disposition of property when a person dies without leaving a will) and the operation of the Inheritance (Provision for Family and Dependents) Act 1975, under which family members and dependants may apply to a court for 'reasonable financial provision' (known as 'family provision') from a deceased person's estate. It was funded by the Nuffield Foundation.

Methodology

The research involved a quantitative survey and a qualitative follow-up study. A module of questions was developed and run on two consecutive waves of the NatCen Omnibus Survey in 2009, the second wave being used to boost the number of respondents in certain key groups of interest: cohabitants, those who had a partner who had children from a previous relationship, and those who had parents who had re-partnered. The total number of respondents for the two waves combined was 1,556. The data were weighted to correct for selection probabilities and to calibrate them to population estimates.

The qualitative research comprised 30 depth interviews with people who had taken part in the survey. A purposive sampling approach was used in order to explore a range of views and attitudes. Individuals were selected for inclusion based on their responses to key scenarios presented in the survey and according to whether they had children from multiple relationships. Expectations of receiving an inheritance, age, marital status and the value of their own property were also taken into account. Interviews lasted between 40 and 90 minutes, were digitally recorded and transcribed verbatim. The data were

managed using the Framework method, a data management technique developed by NatCen and analysed thematically.

2 Will making

This chapter discusses attitudes and behaviour related to will making and testamentary freedom. Findings from the quantitative survey are presented on whether people have made a will, on any individual characteristics that can be linked to will writing and on who is prioritised in wills. The qualitative element of the study offers further detail on these issues. Participants expressed a range of views that can be used to shed some light on the reasons why people do or do not make wills and what factors influence to whom people choose to leave their estate. The qualitative study also explored attitudes towards testamentary freedom, which are discussed in the final section of this chapter.

2.1 The presence of a will

Overall, just over a third (37 per cent) of respondents said that they had a will (a formal will that had been signed and witnessed) (Table 3.1). This reflects previous research where the proportion with a will was measured at 36 per cent (Brooker: 2007: p 3) and 45 per cent (Rowlingson and McKay: 2005: p 85). However, as one would expect, this varied significantly by age. In the youngest age groups, only a very small minority claimed to have a will; six per cent of those aged 16 to 24 and eight per cent of those aged 25 to 34. The proportion increased steadily with age such that most (82 per cent) of those aged 75 or more had a will.

Table 2.1 Whether respondent has a will								
<i>Base: All adults aged 16+ in England & Wales</i>								NatCen Omnibus Survey
	Age of respondent							
	16 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 to 74	75+	Total
	%	%	%	%	%	%	%	%
Yes	6	8	27	41	60	73	82	37
No	94	92	73	59	40	27	18	63
<i>Bases</i>	<i>134</i>	<i>260</i>	<i>293</i>	<i>251</i>	<i>251</i>	<i>213</i>	<i>151</i>	<i>1,553</i>

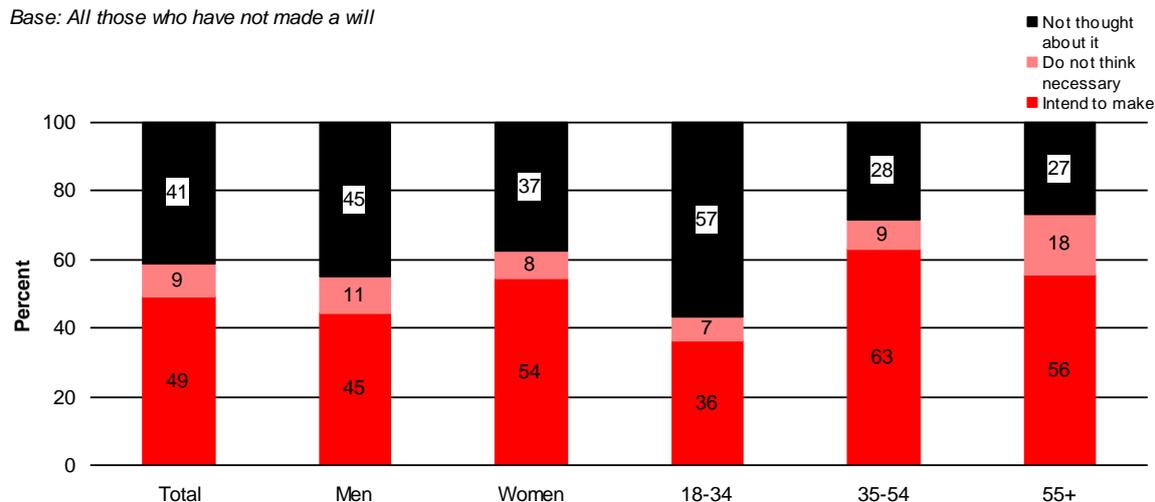
Widowed and married respondents were more likely to have made wills (78 per cent and 48 per cent respectively) whereas cohabiting and single respondents were least likely (20 per cent and 13 per cent). The prevalence of will-making also varied greatly by the value

of respondents' assets, from just nine per cent of those with assets worth up to £10,000 to 80 per cent of those with assets valued at more than £500,000. Those who had themselves received something on another's death were much more likely to have made a will (55 per cent) than those who had not (26 per cent). Multivariate analysis confirms that marital status, financial worth and age were all independently related to making a will.

Respondents who had not made a will were asked to say which of three statements about making a will best described their feelings. As is shown in Fig. 3.1., overall, around a half (49 per cent) said that they did intend to make a will, nine per cent did not think it was necessary and 41 per cent said that they had not really thought about it. Men were slightly less likely than women to say that they intended to make a will (45 per cent compared with 54 per cent). Younger respondents were less likely to have thought about it (57 per cent).

Figure 2.1 Feelings about making a will

Base: All those who have not made a will



An intention to make a will was also higher among married respondents. Those with fewer assets were more likely to say they had not thought about it (56 per cent) and the proportion who said that they did intend to make a will increased from 28 per cent of those with assets of less than £10,000 to around four fifths of those with assets above £200,000. Nearly two-thirds (63 per cent) of single people said that they had not really thought about making a will. This may in part reflect their lower age profile (multivariate analysis confirms age to be independently related to feelings about making a will).

Factors affecting the presence of a will

This section discusses factors which emerged from the qualitative study as affecting will making, including specific catalysts for writing a will, as well as why participants are yet to write one. It includes views on the importance of making a will and prompts characterised by a change in personal circumstances. These findings provide a context for the links identified by the quantitative study between marital status, age and the value of assets,

and making a will, but also highlight reasons why such associations do not hold in some circumstances.

Family circumstance is a key factor affecting will making, with marriage and children acting both as prompts and pre-conditions to will-writing. Where a respondent married or had children this change had been a catalyst to writing a will. For others, particularly younger respondents, the lack of such a 'created family' was used to support their reasoning for not having one: *'If I had, like, a family I would probably have, like, a will, but I haven't got a family at the moment'* (Male, 16-34, Single). Having children or becoming a grandparent, changes in marital status or a death in the family were identified as reasons why respondents had amended their will, in order to reflect their changing family structure. Participants also described changing their will to make clear new intentions such as changing the priority or distribution of what existing beneficiaries would be bequeathed or dictating what could be done with what is bequeathed to them. A death in the family was also indicated as an initial prompt to writing a will, particularly where it had served to emphasise the complicated nature of intestacy law.

An **assessment of the risk of death** also appeared to play a part in whether a will had been made and could be the overriding factor in the absence of the prompts from family circumstances. For example, some unmarried participants who had made a will did so following a potentially life threatening illness. The need to make a will was also linked with increased risks connected to work, specifically being in the armed forces and going abroad for extended periods of time. Conversely, an absence of risk was identified as a reason for not having made a will. Younger participants indicated they would make a will when their life took on more risks such as when they started to drive. A superstitious view was also described, suggesting that the process of making a will would hasten death and this was a reason not to make a will.

As in the quantitative study, the **value of assets and personal wealth** was identified as an important factor that had influenced participants' decisions about whether or not to make a will. For example, the process of buying a property was highlighted by participants as a direct prompt for will making, or as a reason that would prompt respondents to make one in the future:

'When we made the first one...we were buying a house and we thought well...they advise you when you're doing that kind of thing to make a will because it's a big purchase and it's a lot of money and you want to make sure it's all taken care of.'

(Female, 35-64, Married)

Conversely, there was a sense that until participants had something significant to leave in a will, either savings or property, they did not see the need to have one. Where participants with smaller estates had made a will, personal experience of a death in the family and/or intestacy appears to have been an overriding factor, regardless of what they

had to give. The cost of solicitor's fees was raised as a barrier to will making, but participants also distrusted cheaper do-it-yourself wills, fearing that they might not be legally effective. Alternatively, it was indicated that a prompt for making a will had been an offer from a charitable organisation to cover the legal costs involved in making a will on the assumption that a portion of the estate would be left to the charity.

More general factors influencing the decision to make a will related to the expression of **personal autonomy**. The strictest application of this principle suggested that having a will is the only way a person can expect to exercise influence over what happens to their estate: *'It's inconceivable to my mind that which I accrued during my lifetime I cannot dispose of according to my wishes'* (Male, 64+, Widowed). For cohabitants, this meant overcoming the intestacy laws which currently exclude them and for others, having an enforceable voice regarding their preference of a guardian for their children. Wills were also seen as an important way to limit the amount of money the government could take via inheritance tax. In some cases a will was not only a means of stipulating who should inherit what but also of dictating how beneficiaries could use what they inherited, particularly in relation to the family home. Importantly, wills were also seen as personal expressions of love and gratitude and as a way to be remembered.

A range of **practical considerations** also influenced will making. Ensuring clarity and efficiency through a will, including naming a neutral and objective executor was seen as important for potential beneficiaries rather than leaving the burden of trying to sort out who should inherit from the estate.

'...sometimes you get a lot of people pulling on you wanting this and wanting that. If you've got somebody objectively to say this is my advice, you don't have to take it but this is what I'm advising, it does help I think.'

(Female, 64+, Married)

This concern could be prompted by hearing the experiences of others in the community in relation to inheritance matters. Conversely, negative experiences could also lead to an assumption that the process of making a will would be complicated. Where a difficult decision such as the guardianship of children had to be made, participants admitted putting off making a will or assuming that the state would handle the estate in a way that provided for children. Despite recognising the importance of having a will, some participants simply described themselves as having been 'lazy' and /or not having had the time to make one. The survey findings noted an association between age and will-making and the qualitative study provides possible explanations for this. A number of the reasons for making a will described by participants, such as having a family, owning assets or being more aware of the risk of death, are more characteristic of older people. Equally, younger participants explained their lack of interest in terms of the absence of these circumstances.