Chartered Trading Standards Institute

APPROVED CODE — TradingStandards.uk —

# The Institute of Professional Willwriters Consumer Code

# Desktop Audit

# August 2026

**Background information**

The Institute of Professional Willwriters (IPW) was formed in 1991 as a self-regulated body to safeguard the public from unqualified practitioners and unethical business practices. The Institute is managed by a council made up of IPW members elected by the membership for a three-year term. There are currently 261 members of the Code.

The objectives of the Institute are:

- to make representation to Government on legislative matters which affect Members of the Institute and their clients.
- to promote the importance of making a Will to the general public.
- to promote the Institute and the services of its members.
- to ensure that the services provided by its members are delivered professionally, ethically and competently.

One of the objectives of the IPW is to set competence levels for will writing and examinations, so members can prove competence and obtain affordable indemnity insurance.

Currently the sector is unregulated. The view of Government is that self-regulation under the Chartered Trading Standards Institute Consumer Codes Approval Scheme was the most suitable route.

The Institute is continuing to campaign for a statutory regulatory scheme for all will writers in order to protect the general public and to help give the sector and Institute members wider recognition and credibility.

**Audit Process**

A qualified Trading Standards Practitioner from the Chartered Trading Standards Institute (CTSI) carried out a desk-top audit.

The audit focused on the following areas:

1. Member Application Process including checks carried out on prospective businesses
2. Existing Member Inspections/Audit content and process (including general compliance with the Code, staff training and dealing with consumer complaints)
3. Membership Withdrawal and Sanctions for Non-Compliant Member Businesses
4. Marketing and Advertising by Member Businesses
5. Terms and conditions and other pre contractual information (including cancellation rights, deposits, delivery times, guarantees and warranties)

6. Customer service provisions (including support for vulnerable consumers)
7. Consumer complaints process (including ADR)
8. Customer satisfaction and feedback, information/complaints from enforcement agencies, and how this information is used to develop and improve the Code

**Member Application Process**

Prospective members apply to join either online or by completing a paper application form. The Institute conducts rigorous checks on all applicants, including bankruptcy, disqualified directors, identity, financial, court judgment and character reference checks. In addition, all applicants are Disclosure and Barring Service checked and those found to have committed serious offences such as fraud and dishonesty are automatically rejected. Applicants must provide two satisfactory referees.

Applicants must pass an entrance exam consisting of both written and practical aspects before being accepted as a member, other than applicants who are qualified solicitors or hold a recognised qualification from the Chartered Institute of Legal Executives or the Society of Trust and Estate Practitioners.

Experienced will writers (more than five years in practice) can elect to complete four written assignments based on their actual work as an alternative to the entrance exam.

Exams are held quarterly, consisting of a 90-minute written paper and a role play including taking will instructions and a will drafting exercise. Exam papers are independently marked and applicants must obtain a pass mark of 70% or above to join IPW.

Applicants are encouraged to attend a one-day course named 'Introduction to Will Writing' followed by a three-day intermediate course run by the Will Writing Academy Limited, a subsidiary company of the Institute. The Institute has established a partnership with CILEX Law School the educational division wholly owned by the Chartered Institute of Legal Executives which offers accredited training in Wills, Probate and related legal matters.

Successful applicants are sent a welcome compliance pack, which includes the Code, model letter of engagement, in-house complaints procedures, complaints log, client questionnaire and a declaration form.

Members are given a self-compliance check list covering all areas of business such as money laundering, document storage, cancellations, payment protection scheme and business literature. This check list must be returned along with proof of insurance covering a minimum of £2m professional indemnity and £1m public liability. The self-compliance checklist is then verified by the Institute's compliance team and only once deemed fully compliant is their membership approved.

During the course of this audit, two files of new applications were checked against the compliance procedure. All records were found to be complete, appropriately marked and dated accordingly in the membership checklist. Both new applicants passed the entrance requirements and their websites display the IPW and CTSI logos.

In the last 12 months there were 23 new full members.

**Existing Member Inspections/Audit**

There are currently 261 member organisations in the Code, 53 full members left during the previous 12 months.

Existing membership is renewed annually via a self-declaration form with the submission of relevant supporting evidence. Practising members are also required to update their knowledge and skills annually through a programme of Continuing Professional Development (CPD) a minimum of 12 hours, annually or 24 hours over 2 years in order to retain their practising certificate.

The Institute aims to audit around 25% of members per year and this is done on a risk assessed basis. High risk members are those who have compliance issues, no feedback, or insufficient CPD. They will trigger an audit as soon as they are identified, medium risk members will receive a compliance visit at the first opportunity. Low risk members will only be audited when it is financially and/or logistically convenient for the IPW to do so. All audits are conducted on-site by the Compliance Team using a standard comprehensive compliance checklist, which asks for supporting information and evidence of compliance.

In the 12 month period 01.04.25 – 31.03.26 48 members were audited, representing 21% of member firms, 95% passed the audit with no issues, 5% initially failed but subsequently supplied new or additional evidence to confirm compliance. During the audit members are subjected to analysis of client files/wills, two files per audit. This check involves a random selection of client files and the Wills drafted for those clients (subject to the clients having previously given permission for their details to be disclosed to the Institute for compliance checking purposes). The files are checked against a checklist. The check covers up to 92 points (depending on the Will) on a Will drafted. Of the 96 Wills checked, none were found to be problematic to the point where they needed to be re-drafted.

During the course of this audit, five of the most recently completed checklist reports were examined. Those who initially failed supplied new or additional evidence to confirm their compliance. The results of compliance checks are published in the IPW Annual Report.

**Membership Withdrawal and Sanctions for Non- Compliant Member Businesses**

Non-compliant members face a range of sanctions, including suspension of membership or expulsion. Currently, there are no members in the disciplinary process.

During the previous 12 months, 53 full members left the Institute. A letter is sent to members leaving the Code that reminds them that an unauthorised claim of membership is a serious criminal offence under the Consumer Protection from Unfair Trading Regulations 2008. For this audit three letters were submitted, all letters examined contained this statement. None of the lapsed members were found to be continuing to use the IPW logo.

### Marketing and Advertising by Member Businesses

The Institute provides ongoing support to its members including guidance and standard documents relating to marketing and advertising. Members are encouraged to submit all marketing materials and advertisements for assessment of compliance against consumer law and the Code. The IPW will check any marketing material used by members. If a member has a new brochure/advert they can send it to the IPW office for a compliance check.

When a compliance visit is made, the IPW enquires whether the member engages in direct marketing of any sort and if so their telephone sales script is checked for compliance with the IPW Code and the percentage of the member's business from cold calling is ascertained. The IPW confirmed that none of its members are involved in direct marketing e.g. telephone cold calling.

### Terms and Conditions and other Pre-Contractual Information

The Institute provides standard terms and conditions and pre-contract information to its members.

Members who accept any payments in advance are required to be part of a prepayment protection scheme such as a client account or the Institute's prepayment protection scheme. This is checked during onsite audits.

Of the five member audits examined, all terms and conditions including pre-contract information and cancellation rights were found to be complying with the Code.

### Customer Service Provisions

One of the Institute's objectives is to ensure that the services provided by its members are delivered professionally, ethically and competently.

The Institute provides comprehensive training and guidance on dealing with vulnerable consumers. Members are given a risk assessment matrix as part of the compliance pack, outlining guidance and steps to take when dealing with more vulnerable consumers on various issues such as undue influence and testamentary capacity.

As part of the Institute audit checklist, all members are required to give extra help to vulnerable people. Of the five member audits examined, no evidence of extra help not being given to vulnerable people was found.

### Consumer Complaints Process

Guidance on making a complaint is contained in a booklet available on the IPW website.

The IPW Code requires that letters of dissatisfaction should be acknowledged within five working days and will include information on how the issues raised will be dealt with. The firm then has 56 days to complete and respond to those issues.

If the client is still not satisfied, they can either:

- Refer the matter to the Legal Ombudsman
- Use the IPW Alternative Dispute Resolution (ADR) service, which has received accreditation from CTSI under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015. IPW have moved to fully compliant ADR for the whole complaints process
- Pursue the matter through the courts.

During the period 01.04.25 – 31.03.26 three complaints were dealt with the IPWADR Service.

**Customer Satisfaction and Feedback**

Members are required to give a feedback questionnaire directly to consumers who can complete and return it to the Institute either via a paper questionnaire returned via a freepost facility or online on the Institute website. Results of customer feedback are recorded against each member on the member database.

The results are also displayed on the Institute's website member directory listing, including any good or bad comments and feedback. Members are also flagged for audit if the monthly pivot tables show customer dissatisfaction with the service or non-compliance with the Code.

Subject to the consumers' permission, around 10% of feedback received will be subjected to a telephone interview by the Institute to ensure all feedback is genuine.

Of 362 responses which were returned in the period to which this report relates, there was a decrease from the 461 responses in the previous 12 months. This illustrates a continuing decline in responses as other, better resourced, and higher profile customer feedback mechanisms, such as 'Trustatrader' and Trustpilot are used by member firms to broadcast their feedback to potential customers.

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| Recommendation<br><br>Though the number of responses from consumers is relatively high compared to other Codes, if this decline continues alternative methods of collecting consumer feedback should be considered. |

**Conclusions**

The Institute of Professional Willwriters continues to fulfil its obligations as a Code Sponsor and thus enhancing consumer protection in this field.

The Institute's rigorous application process, the CPD programme, the ongoing support backed by a robust auditing programme ensures that only members who are compliant and competent and adhere to the Institute's strict Code of practice can operate as will-writers using the IPW and CTSI Approved Code logo. Overall, this continues to be a very well-run and effectively managed Code.

The introduction of the DMCC legislation and the publication of the CMA guidance on will writing (30.01.26) has created the need for some changes to the IPW Code. The IPW is currently consulting with its members about these changes and will submit their revised Code to CTSI in due course.

The Institute of Professional Willwriters is one of the listed organisations on the GOV.UK official guide to making a will.