

# Making your Digital Legacy

(to accompany your Will)

## Guidance Notes

**ProTrust**   
Estate Planning

ProTrust Estate Planning  
25 North Row  
Marble Arch  
London W1K 6DJ  
0207 123 6189

Email: [info@protrustconsulting.co.uk](mailto:info@protrustconsulting.co.uk)

Website: [www.protrustestateplanning.co.uk](http://www.protrustestateplanning.co.uk)

# Introduction

## What is a digital legacy?

In straightforward terms, a digital legacy is the online presence you leave behind when you pass away. It is your digital presence.

## What usually comprises a 'digital presence'?

### *Financial Assets and holdings*

for example, online-only bank accounts and any non-paper based form of assets. These could include cryptocurrency holdings and accounts.

### *Social media profiles*

for example, Facebook/Linked-In/X (formerly Twitter)/Instagram etc

### *E-mail addresses, email folders*

for example, Outlook, Hotmail or Gmail account

### *Online shopping*

for example, Amazon account

Any other libraries of online material and information. This could include photographs and music saved to a digital online server

for example, Google storage and photos, music stored online with Amazon/iTunes/Spotify

## Why should you prepare for it?

Alongside your Will, you may have prepared a schedule or plan for the passing of your items, household effects and chattels. Doing so helps your executors ensure that your wishes are carried out smoothly and effectively. In a similar way, your executors could benefit from guidance as to the extent of your online presence and how it is to be managed.

The digital legacy concept is a relatively new one and this means that there may not yet be sufficient legal procedure in place to protect your online presence when you pass away.

Not having a digital legacy can cause a great deal of distress and even financial loss or difficulty for your beneficiaries not to mention additional cost in terms of time and money in extra administration of your estate.

## What are the potential problems?

### **Access to your digital information**

This is the biggest problem faced when settling your digital affairs. Knowing which accounts you hold online and then gaining access to these accounts is an important facet of winding up your legal and financial affairs.

### **Digital life goes on!**

Until notified formally, those online accounts will automatically continue. What exists of you on the internet will likely be around for a long time. This can include images, posts to social media, along with any website containing your name, will be easily searchable for generations to come. These days, part of how a person is remembered is defined by their residual online presence and once they're gone, there's not much that loved ones can do about it.

### **Indirect financial costs**

For regular subscriptions you have to online services, such as music, film or data storage sites, unless they are contacted (and passwords provided for online access) and cancelled, accounts could continue to be debited, at least until your bank accounts are frozen by the provision of a death certificate.

### **Licences**

Digital media collections and downloaded TV programmes/films/music are now often paid for through licences to use them. In some instances, licences expire on death and thus the benefit disappears and is inaccessible to your loved ones.

### **Treasured items**

Treasured items are not these days restricted to tangible objects. Archives of photos, creative elements such as music, writing, poems etc are things we might want to pass on but are usually stored on our computers or online. Unlike a box stored in the attic, which will be discovered eventually, sentimental digital items may be lost forever. Particularly this is a problem for items saved to a hard drive where the technology to access it might be soon lost.

## **Preparing your digital legacy**

This does not need to be a difficult task. With a small amount of thought and effort, you can create a plan for making things easier for your loved ones.

Our suggested approach is as follows:

### **Complete a basic directory.**

**Our version is available from us please use our 'contact us' page to request our 'Digital Legacy Spreadsheet'**  
<https://protrustestateplanning.co.uk/contact-protrust-estate-planning>

If you can complete the directory and send it to us we will store this confidentially alongside your Will. This will act as a guide for your online accounts, making sure your family or executors are able to find them easily.

We will then advise of what ought to be included within your Will to make reference to the Digital Legacy and whether it should contain any specific instructions/bequests to ensure the same is sufficiently binding for your wishes to be carried out.

With our directory, you can specify your wishes with each element.

### **Online Bank Accounts**

These should automatically shut down as a result of the normal bank account being closed. To be on the safe side, specify in your Will or in an accompanying letter of wishes that your online account should also be deactivated.

### **Social Media Pages**

These can offer options of closure or turning into a memorial page. Many of these services require a link to a website to serve as proof of death. Facebook and other sites may operate a legacy feature to appoint a legacy contact in the settings menu. The contact can memorialise the account or shut it down.

### **Online Shopping**

Many of such entities retain your sensitive banking information as well as personal details. Be cautious and request for the accounts to be deactivated.

### **E-mail Accounts**

Request to have these closed upon your passing unless they are shared with a spouse in which case you may want to leave it to their discretion.

### **Regular Online Payments**

Some online services require monthly subscription by Direct Debit. Whilst these would be frozen as soon as the death certificate is registered and provided to the bank, payments might still slip through. Shutting down these accounts will help to avoid this.

### **Music and Films**

Accessing your online libraries and subscriptions will no doubt require a user name and password access. Many people use the internet to download films, music and TV shows. Checking with the company in question is a good place to start as to what can be continued after your death. It may be possible to bequeath your licence to someone who will be able to make further use of it.

### **Air Miles**

Some airlines will allow air miles to be transferred, others will not.

### **Betting Websites (and Lottery)**

Most people who bet use online accounts and these hold deposit money or indeed winnings. Failing to notify the betting company in question could result in remaining funds never returning to the estate. If there is the chance of this being a large amount, make sure you specify who the beneficiary is.

### **Where should you keep your Digital Legacy guide?**

We suggest you keep the Digital Legacy passworded and saved to a USB stick and that you keep this reviewed and updated as you update your passwords/accounts going forward. We then suggest you contact us when reviewing your Will to ensure that we keep the most up to date version. You will no doubt open new accounts online, so keep your directory up to date.

**We hope this guide is helpful to you. ProTrust Estate Planning provides comprehensive and accessible legal products including Wills, Trusts and Lasting Power of Attorney.**

## **Contact Us**

For more information and for an initial discussion for advice please contact us on:

Email: [info@protrustconsulting.co.uk](mailto:info@protrustconsulting.co.uk)

Telephone: 0207 123 6189