

French Duncan LLP – Tax Investigations Service Summary

Service Period: 1 March 2018 to 28 February 2019

Our Tax Investigations Service is fully backed by an Insurance Policy, which we have taken out with Abbey Tax.

Service protection

Fee Protection of up to **£125,000** is provided in the event of:

Full and Aspect Enquiries into:

- ✓ Corporation Tax Returns
- ✓ Partnership Tax Returns
- ✓ Sole Trader Tax Returns
- ✓ Personal Tax Returns

Disputes into:

- ✓ VAT
- ✓ Employer Compliance (PAYE, P11D and NIC)
- ✓ IR35

Code of Practice 8 enquiries (£5,000 limit of indemnity) and Inheritance Tax enquiries (£5,000 limit of indemnity)

HMRC use of Information and Inspection Powers/Sch. 36 Pre Disputes in respect of:

- ✓ VAT control visits
- ✓ Employer Compliance visits
- ✓ Check of Employer Records
- ✓ National Minimum Wage reviews
- ✓ Interventions
- ✓ Requests for information
- ✓ Capital Gains Tax

Directors and Partners

Directors of Limited Companies or partners within partnerships or LLPs will be automatically protected for their personal tax affairs if the company or partnership joins the Tax Investigations Service. However, if the director or partner has a separate source of trading income greater than £15,000 and/or gross rental income of more than £50,000 pa, they will be required to pay an additional subscription to protect that source of income.

Main Exclusions

- Fees incurred prior to the written acceptance of a claim
- Returns submitted more than 90 days after the due date
- Notification by HMRC of any of the above prior to subscribing to the service
- Failure to notify/register for tax or VAT.
- Compliance costs associated with routine submission of statutory returns e.g. P11Ds, RTI Returns, CIS Returns etc
- Cases of suspected fraud eg Code of Practice 9 cases and Public Notice 160 enquiries
- Where there is no reasonable prospect of challenging HMRC (VAT, PAYE and IR35 Disputes)
- Costs for third party valuations.
- Tax planning arrangements where HMRC have allocated a DoTAS Number and/or bespoke tax planning arrangements outside of the normal trade

In the event a client suffers an investigation, we will represent you and reclaim any costs incurred in dealing with the Enquiry directly from the insurance company. The practice will be responsible and have the discretion for making claims under our policy. Clients will be responsible for any fees that we cannot recover from our Insurers.

Business legal helpline – 24-hour, 365 days a year Health & Safety and business legal advice

Business clients who subscribe to the service also have free and unlimited access to a 24-hour telephone helpline. More information can be found overleaf and details of how to access this service will be sent with your service confirmation.

French Duncan LLP – Tax Investigations Service Summary

Business and commercial legal telephone helpline

As an additional benefit of subscribing to the Service, business clients receive free and unlimited access to a business legal helpline. This is a 24-hour, 365 days a year telephone advice service manned by a highly experienced team of 70 barristers and solicitors. The helpline provides a wide range of companies and organisations with commercial, employment and health and safety advice.

Commercial Advice

There are many areas within a business which, if not handled correctly, can take a substantial amount of resources to resolve. The legal advisors will be at hand to provide you with details of the relevant and current legislation in respect of any guidance you may need on matters including:

- ✓ Intellectual Property
- ✓ Small claims court procedures
- ✓ Business tenancies
- ✓ Debt recovery
- ✓ Dealing with complaint letters (asserting rights)
- ✓ Dealing with statutory demands

Health & Safety Advice

All businesses are required by law to undertake a full health and safety risk assessment of their premises and business procedures. In the event of accidents, businesses could be involved in a civil claim for compensation and there could also be criminal prosecutions resulting in fines and even imprisonment. You may receive advice on:

- ✓ Undertaking health and safety assessments
- ✓ Correct procedures in the workplace
- ✓ Understanding new legislation

Legal Telephone Advice Services

The telephone legal advice is provided by LHS Solicitors LLP (LHS) a division of Abbey Protection Group Limited and can advise on general UK law. LHS is regulated and authorised by the Solicitors Regulation Authority. LHS makes no additional charge for providing these telephone services.

The advice will primarily be provided by LHS Solicitors LLP and its teams of solicitors and barristers, who are ultimately managed by the Director of Legal Services (who is a lawyer).

If the client has a complaint about these telephone legal advice services they should contact the Customer Services Manager, LHS Solicitors LLP, Corinthian House, 17 Lansdowne Road, Croydon CR0 2BX. If the client is unhappy with the written response from the Customer Services Manager, the client may contact the Legal Ombudsman at PO Box 6806 Wolverhampton WV1 9WJ, or www.legalombudsman.org.uk, or 0300 555 0333 and ask them to consider the matter. The Legal Ombudsman will only consider matters which have been submitted to it within the earliest of the following timescales: (a) within 1 year from the act/omission complained of; (b) within 1 year from when the client should reasonably have known there was cause for a complaint, without taking advice from a third party and; (c) within 6 months of the client receiving a written reply from Abbey Protection Group Limited concerning the complaint.

If you also wish to make Abbey Tax aware of the complaint, please contact the Customer Service Manager, Abbey Tax, One Mitchell Court, Castle Mound Way, Rugby CV23 0UY. Tel: 0345 223 2727