

Johnston Carmichael Tax Enquiry Service

Summary of Services

Service Period: 1 May 2024 to 30 April 2025

Our Tax Enquiry Service is fully backed by an Insurance Policy, which Johnston Carmichael has taken out with Markel 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
- ✓ Trust Returns

Disputes into:

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

Code of Practice 8 enquiries and Inheritance Tax enquiries have a £15,000 limit of indemnity.

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

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| ✓ VAT control visits | ✓ Gift Aid audits |
| ✓ Employer Compliance Visits | ✓ Construction Industry Scheme reviews |
| ✓ Check of Employer Records | ✓ Capital Gains Tax |
| ✓ National Minimum Wage reviews | ✓ Checks of Coronavirus Job Retention Scheme, & Self-Employment Income Support Scheme claims |
| ✓ Interventions | ✓ SDLT/LBTT/LTT enquiries * |
| ✓ Requests for information | (* note that the SDLT/LBTT/LTT enquiries are up to a limit of £15,000 indemnity) |
| ✓ HMRC nudge letters Fee protection of up to £1,000 per nudge letter | |

Main exclusions:

- HMRC Specialist Investigations, Civil Investigations of Fraud, Criminal Investigations Sections, Fraud Investigation Service, Counter Avoidance Sections and Code of Practice 9 cases.
- Returns submitted more than 90 days after the due date.
- Returns submitted which contain provisional figures in respect of all of the trading income and expenditure (other provisional figures in respect of other income will be covered as long as all the figures on the Return are not provisional).
- 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 and costs for third party valuations.
- Enquiries and Disputes following a voluntary disclosure of irregularities made to HMRC.
- Where there is no reasonable prospect of challenging HMRC (VAT, PAYE and IR35 Disputes).
- Tax planning arrangements where HMRC have allocated a DoTAS Number and/or bespoke tax planning arrangements outside of the normal trade.
- Non-payment and/or incorrect selection of category of service, or no longer a client of Johnston Carmichael.
- Tax returns not prepared under our Terms of Engagement.

In the event of a non-excluded enquiry, dispute or inspection we will represent you and reclaim any costs incurred in dealing with the enquiry directly from the insurance company. Johnston Carmichael 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 and commercial legal telephone helpline and Business Hub

As an additional benefit of subscribing to the service, business clients receive 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. The Business Hub provides an online resource of legal and business guides, templates and written content, offering assistance with everyday legal issues around employment, health & safety, debts & insolvency.

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

Employment Advice

Employment legislation can be a minefield and an incorrect decision could put your business into turmoil. Therefore, the advice line can help to ensure your business remains compliant and proper, fair procedures are followed. You can receive advice on matters including:

- Recruitment
- Discrimination
- Appraisal and disciplinary procedures

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 assessment
- Correct procedures in the workplace
- Understanding new legislation

Business Hub

Clients who subscribe to this service will also benefit from access to our legal portal, Business Hub. We understand that UK SMEs can face a wide range of challenges and provide assistance to deal with the everyday legal issues around employment, health and safety, trading and contracts, cyber and data, debt and insolvency. Business Hub provides practical DIY templates and guidance around these topics. Business Hub is written and created by the team of experts at Markel Law LLP.

Legal Telephone Advice Services

The telephone legal advice is provided by Markel Law LLP and can advise on general UK law. Markel Protection Group Limited is a corporate member of Markel Law LLP. Markel Law LLP is regulated and authorised by the Solicitors Regulation Authority. Markel Law makes no additional charge for providing these telephone services.

The advice will primarily be provided by Markel Law LLP and its team of solicitors, 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, Markel Law LLP, Interchange, 81-85 Station Road, Croydon CR0 2AJ. 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 a cause for complaint, without taking advice from a third party and; (c) within 6 months of the client receiving a written reply from Markel Protection Group Limited concerning the complaint.

If you also wish to make Markel Tax aware of the complaint, please contact the customer services manager, Markel Tax, 11 Mitchell Court, Castle Mound Way, Rugby CV23 0UY. Tel: 0345 223 2727.

Johnston Carmichael is the trading name of Johnston Carmichael LLP, a Limited Liability Partnership registered in Scotland (S0303232). The registered office is at Bishop's Court, 29 Albyn Place, Aberdeen, AB10 1YL. The term 'Partner', used in relation to the LLP, refers to a member of Johnston Carmichael LLP. A list of members of Johnston Carmichael LLP is available for inspection at our offices and on www.jcca.co.uk, where a full copy of our terms and conditions of business can be found.