

Larking Gowen

tax fee protection service

Service Summary

When you subscribe to our service we are able to make a claim against our insurance policy held with Professional Fee Protection in respect of our fees incurred (up to £100,000 per claim unless otherwise indicated) when we defend a client who is subject to any of the following events:

A full enquiry

This is an extensive examination which considers all aspects of the self assessment tax return. It will involve a comprehensive review by HMRC of all books and records underlying the entries made on the return. It will also feature the issue of a notice under S9A/S12AC TMA 1970 or paragraph 24(1) Schedule 18 FA 1998.

An aspect enquiry

This is where HMRC enquires into one or more aspects of the self assessment tax return which may involve anything from clarification of particular entries, to detailed consideration of whether those entries have been treated correctly for tax purposes. It may involve a check on the records upon which the particular entries were based. It will also feature the issue of a notice under S9A/S12AC TMA 1970 or paragraph 24(1) Schedule 18 FA 1998.

PAYE/VAT compliance visit cover

This is where HMRC wish to carry out a routine PAYE/VAT Compliance Visit where it is agreed that professional representation is necessary and the matter cannot be dealt with by the client alone. This will include Business Records Checks. The limit of indemnity for this cover is £2,000.

Pre-Dispute cover

This is where it is considered necessary to involve us following a routine inspection/compliance visit by HMRC. The limit of indemnity for this cover is £2,000.

VAT disputes

This is a challenge by HMRC to the accuracy or completeness of returns submitted. It will feature a disagreement over both the way in which VAT has been operated and over the amount of VAT due.

PAYE/NIC disputes

This is a challenge by HMRC to the accuracy or completeness of returns submitted in accordance with Pay As You Earn Regulations. It will feature a disagreement over both the way in which PAYE has been operated and over the amount of PAYE/NIC due.

IR35 disputes

This is where HMRC states a client should be subject to the IR35 legislation following a PAYE compliance visit or the issue of a notice under paragraph 24(1) Schedule 18 FA 1998. It will feature a disagreement over whether this legislation applies.

A business inspection notice

This is where HMRC exercises its power under Schedule 36 FA 2008 to request entry to a business premises and to inspect the business premises, assets, goods and documents. It normally involves a short notice, or unannounced, visit.

It will have been approved by an 'authorised officer' from Revenue & Customs or by the First-Tier Tribunal.

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Code of practice 8 investigations

This is where the Specialist Investigations Department of HMRC launch an enquiry and issue Code of Practice 8 Booklet. The limit of indemnity for SI cover is £5,000.

Application for a judicial review

This is an application (during the course of a valid claim under the policy) to the Administrative Court to challenge a decision of an official where no other legal recourse is available to the applicant. The limit of indemnity for this cover is £5,000.

Interventions cover

This is where HMRC issue a routine letter with a view to obtaining clarification on a particular point on a Self Assessment tax return without the issue of a statutory notice and which is not dealt with or excluded under any other section of this policy. The limit of indemnity for this cover is £2,000 per claim.

CIS disputes

Where disputes arise out of an inspection of employers/contractors records, reasonable costs will be covered. This does not extend to disputes over gross payment status.

The main exclusions in our service are as follows:

- The cost of making good any deficiencies in books, records, accounts or returns.
- Claims which originate from any matter which existed before the first period of insurance except where full disclosure has been made and the increase in risk has been accepted in writing.
- Minimum wage, student loan and tax credit enquiries.
- Amended returns (exclusion limited to matters relating to the item(s) that have been amended).
- Returns which have been submitted more than 90 days late.

Full details available on request.

Client Legal Helpline

Subscribers to the service benefit from the client legal helpline.

Advice from a dedicated team of legal consultants, barristers, solicitors and legal executives

- Unrestricted access to use the service
- You can call regarding any commercial legal problem:
 - Legal contract matters
 - Landlord and tenant or property queries
 - Employment and health and safety matters
- A significant feature of this service is its immediacy

While the service is essentially provided by telephone, consultants will enter into correspondence with members where necessary. This could entail looking at any documents, which may be essential for the consultant to consider prior to giving advice, for example, contracts of employment, leases etc. Please note that the service does not extend to corresponding with third parties, only with the individual about their legal rights.



CHARTERED
ACCOUNTANTS

Larking Gowen
is a member of MHA,
an association of
independent firms.



An independent member of Baker Tilly International

*calls will cost you 5p per minute plus your telephone company's access charge

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