Keeping you informed

Introduction

Welcome to the 80th edition of Agent Update.
Agent Update was launched in September 2007, as a bi monthly publication to assist tax agents and advisers with news and updates from HMRC. The first update went to approximately 19,000 agents and advisers and was just over eight pages long with the information divided into three sections – Tax, HMRC Service & Updates and Business & Finance. We ran articles on subjects such as flooding and foot and mouth disease, and even then, we were asking for your views on consultations and asking you to take part in surveys.

Thirteen years down the line, Agent Update now goes to over 110,000 recipients. It has evolved into 4 sometimes 5 sections with more than 20 pages.

We would like to take this opportunity to thank you, not only for all the support you have shown the Update over the years, but also for the welcome contributions you make. Many of the improvements are based on your suggestions and we know you value the Update. We would like to keep this two-way dialogue open and assure you that where possible we act on your suggestions and implement these changes as soon as we can.

If you would like to be notified when each edition of Agent Update is published, please sign up to receive email reminders.

This month’s content

Technical Updates and Reminders

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Agent Forum and Engagement
Latest updates from the partnership between HMRC and the main agent representative bodies. Including:
- Agent Forum – working to support the agent community
- Help your clients stay on top of their workplace pension responsibilities and avoid legal action. From The Pensions Regulator
- Working Together Contact information for Professional and Representative Bodies.
COVID-19
We have published updated guidance for employers, businesses and employees, and more information can be found on GOV.UK.

Coronavirus Job Retention Scheme
Detailed guidance to help you or your clients prepare for the final stages of the Coronavirus Job Retention Scheme (CJRS) and key dates you need to be aware of can be found on GOV.UK.

What you or your clients need to do from 1 October
From 1 October HMRC will pay 60% of usual wages up to a cap of £1,875 per month for the hours furloughed employees do not work. Employers will continue to pay their furloughed employees at least 80% of their usual wages for the hours they do not work, up to a cap of £2,500 per month. Employers need to fund the difference between this and the CJRS grant themselves.

Employers will also continue to pay their furloughed employees’ National Insurance and pension contributions from their own funds.

The scheme closes on 31 October and employers will need to make any final claims on or before 30 November. They will not be able to submit or add to any claims after this date.

Job Retention Bonus
The Job Retention Bonus allows employers to claim a one-off payment of £1,000 for every eligible employee they have furloughed and claimed for through the Coronavirus Job Retention Scheme (CJRS) and kept continuously employed until at least 31 January 2021. Employers do not have to pay this money to their employee.

To be eligible, employees must earn at least £1,560 between 6 November 2020 and 5 February 2021 and have received earnings in the November, December and January tax months. Employees must also not be serving a contractual or statutory notice period on 31 January 2021.

Employers can still claim the Job Retention Bonus if they make a claim for that employee through the Job Support Scheme, as long as they meet the eligibility criteria for both.

Employers will be able to claim the bonus from 15 February until 31 March, after they submit PAYE information for the period to 5 February 2021. For more information, including what you or your clients need to do now if you intend to claim the bonus, go to GOV.UK. More detailed guidance will be available by the end of January.

Deferred July 2020 Self Assessment Payment on Account
HMRC has identified that some Self Assessment customers, who chose to defer payment of their July 2020 Payment on Account due to COVID-19, may receive a Self Assessment statement, showing that payment is due, and interest is accruing.

HMRC can confirm that we will not impose any late payment interest or penalties on the deferred July 2020 Payment on Account, provided it is paid in full by 31 January 2021. Any customers who may have difficulty in making that payment can go to GOV.UK for information of the help available.
Self Assessment - additional support
Self Assessment customers can now apply online for additional support to help spread the cost of their tax bill into monthly payments without the need to call us.

The online payment plan service has been increased to £30,000 for Self Assessment customers, to help ease any potential financial burden they may be experiencing due to the coronavirus pandemic.

Once customers have completed their tax return for the 2019-20 tax year, they may have the option of using the online self-serve ‘Time to Pay’ facility through GOV.UK to set up a direct debit and pay any tax that is owed in monthly instalments, up to a 12-month period.

If customers wish to set up their own self-serve ‘Time to Pay’ arrangements, they must meet the following requirements:
• no outstanding tax returns
• no other tax debts
• no other HMRC payment plans set up.

The debt needs to be between £32 and £30,000 and the payment plan needs to be set up no later than 60 days, after the due date of a debt.

Customers using self-serve ‘Time to Pay’ will be required to pay any interest on the tax owed. Interest will be applied to any outstanding balance from 1 February 2021.

SA paper statements
We can confirm that taxpayers will receive paper tax statements for 2019-2020 in December/January unless they have specifically opted for paperless communications. As part of an ongoing HMRC initiative to encourage more people to file online, it remains our ambition to move to a fully digital service as soon as circumstances allow.

Does your client have employees working from home because of COVID-19?
If they’ve asked their staff to work at home because of COVID-19 then they may have additional household expenses.

If your client hasn’t reimbursed them, the employees can claim tax relief on £6 per week or £26 per month for these extra costs.

The employees can only claim if your client has asked them to work from home for all or part of the week. For example, because there’s a rota system in place to allow for social distancing.

How can employees claim?
The quickest and easiest way for them to claim is to apply online at GOV.UK. It’s secure and ensures they’ll receive their full entitlement.

The employees’ tax code will be adjusted, reducing the tax they pay.

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The effect of furloughing staff on claims for R&D Tax Relief, RDEC, LRR and the Creative Industry Reliefs

HMRC guidance on staffing costs for Research and Development Tax Relief, Research and Development Expenditure Credit, Land Remediation Relief and the Creative Industry Reliefs has recently been updated to cover furloughed staff. That updated guidance can be found in the following locations;

R&D Tax Relief and RDEC – Page 83200 of the Corporate Intangible Research and Development Manual

Creative Industries:

hmrc-internal-manuals/museums-and-galleries-exhibition-tax-relief
hmrc-internal-manuals/orchestra-tax-relief
hmrc-internal-manuals/theatre-tax-relief
hmrc-internal-manuals/video-games-development-company-manual
hmrc-internal-manuals/animation-production-company-manual
hmrc-internal-manuals/television-production-company-manual

Tax

Corporate Criminal Offences – more than just a legislative tool, and why you should care

In September 2017, legislation was introduced which can hold a corporate liable if it fails to prevent any associated person from facilitating tax fraud. This is known as the Corporate Criminal Offences (CCO).

It’s easy to see how some industry sectors may feel the CCO is more relevant to them than others, based on the services they provide and how that might link to instances of tax fraud. However, in reality, the relevance and impact of CCO is further reaching than you may realise.

No matter the size of your business, or the type of service you provide, if there is a chance someone associated with your business could facilitate fraud through their actions then CCO is something you should know about.

HMRC’s list of CCO cases demonstrates that. As at 31 July 2020:

• HMRC has 10 live CCO investigations with a further 22 opportunities under review across 10 different business sectors, including financial services, oils, construction, labour provision and software development
• These investigations and opportunities sit across all HMRC customer groups from small business through to some of the UK’s largest organisations
• COVID-19 has impacted all aspects of society in many different ways, and HMRC and its development of CCO investigations and opportunities is no exception. However, HMRC continues to progress CCO investigations and opportunities wherever it is safe for HMRC and its customers to do so.

HMRC has spoken about the way in which the CCO can change the landscape in the fight against the facilitation of tax crime. But the CCO is not all about investigations and prosecutions, it’s about changing industry practices and attitudes towards risk to try to prevent facilitation happening in the first place.

CCO introduced the concept of Reasonable Preventative Procedures (RPPs) – processes which help a corporate to prevent its associated persons from facilitating tax fraud and can be used as a defence against a CCO prosecution.

RPPs are in themselves not a new idea, and many corporates will already have RPPs in place. By embedding, regularly reviewing and adapting RPPs to address tax fraud facilitation risks, a corporate will reduce the chances of its associates facilitating tax fraud and will ultimately support compliance across their industry sector.

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Have you considered how CCO may affect your business? And what do your RPPs look like? These are questions which HMRC is keen you consider, as your approach to CCO and RPPs has the potential to help design out tax evasion risks and reduce fraudulent behaviours. HMRC will continue to pursue those who try to evade paying the tax they owe, as well as those who help them, to ensure businesses and individuals contribute their fair share to our public services, and create a level playing field for those who abide by the rules.

For more detailed information about the legislation, you can read the government guidance ‘Tackling tax evasion: Government guidance for the corporate offences of failure to prevent the criminal facilitation of tax evasion’.

Capital Gains Tax (CGT) payment for property disposal
The new digital service which went live on 6 April 2020 enabling people to report and pay CGT for property disposals has been further enhanced. From 14 October 2020, the service will allow you or your client to amend an existing CGT property disposal return or confirm estimates. You can find out more on GOV.UK.

Previously, if you or your client had already submitted a return through the digital service and subsequently wanted to make an amendment to that return, you would have been required to contact HMRC and ask for a paper form to complete and submit.

Following the enhancement, from 14 October 2020 the functionality to amend an existing return or confirm estimates will be available through the digital service, you will need the correct CGT reference number in order to do this.

Update on Top Slicing Relief (TSR) on life insurance policy gains
HMRC is working to ensure all affected customers from 2018-2019 onwards receive all the relief that they are entitled to.

Beneficial ordering
The new measure provides clarification on beneficial ordering of the personal allowance within the TSR calculation. It confirms that allowances must be set, as far as possible, against other income in preference to the gain. This ensures that the personal allowance cannot be used twice in the tax year, which would lead to too much relief being claimed.

It’s important to note that this isn’t a change of policy. The relief calculation has always applied this method. Otherwise the calculation would produce excessive relief or would allow relief to taxpayers who aren’t entitled to it.

The new measure acts to change how we treat the personal allowance in the calculation of TSR.

We are not changing how we calculate any other relief, allowance or rate such as the Savings nil rates.

The impacts on each year
Of the 45,000 customers who incur gains, HMRC estimate that 2,000 will enjoy these changes.

Outcomes of 2018-2019 Auto Recovery/Manual re-work
The 2018-2019 automated process was run on the 28 August 2020 and included customer returns for 2019 which have been received within HMRC up to 9 months prior to the run date. For example: Returns filed on line 28 November 2019 and later.

2018-2019 returns submitted under an exclusion are being manually reviewed and included customer returns for 2019 which had been received within HMRC up to 9 months prior (returns received on 28 November 2019 and later). If a change to the TSR is required they are being amended.

For returns received more than 9 months ago, please submit an amendment to update the amount of TSR.

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2019-2020 e-Filing Exclusion list
An exclusion has been added to the Known Self Assessment calculation errors list for 2019-2020, Exclusion 116. Customers are required to complete paper returns to get the correct calculation. No customer will receive less relief than was before calculated by HMRC.

2020-2021 onwards
From 2020-2021 onwards, the changes will be incorporated into the SA calculator. Customers won't have to provide any extra information, and the correct amount of relief will be calculated as part of the online tax return.

Earlier years
For periods before 2018-2019, returns should be filed on the basis of the legislation that applied at the time those returns were required to be made. Guidance and/or examples to help answer your queries can be found on GOV.UK and in the Insurance Policyholder Taxation Manual (IPTM) at chapters 3820-3850. HMRC will be running TSR Talking Points webinars during October and November.

Stamp Duty Land Tax (SDLT) – additional 2% charge for non-UK residents
At Budget 2020, the Government announced that it would legislate in Finance Bill 2020-2021, for a 2% surcharge to take effect from 1 April 2021, on non-UK residents purchasing residential property in England and Northern Ireland. This change will affect acquisitions of English and Northern Irish residential property by non-UK resident purchasers, be they individuals, companies (including certain UK resident companies controlled by non-UK resident persons), trusts and partnerships. The surcharge will apply on top of existing SDLT rates, including the rates applicable to the rental element of leasehold property.

Individual purchasers may be able to claim a refund of the surcharge if they meet residency requirements within a 12-month period after the effective date of transaction. Crown employees and/or their spouse or civil partner will be able to claim an up-front relief from the surcharge.

The overarching objective is to make house prices more affordable and help people to get onto and move up the housing ladder. For more information, visit GOV.UK.

DAC 6 reporting rules
The International Tax Enforcement (Disclosable Arrangements) Regulations came into force on 1 July 2020. These regulations implement an EU Directive known as DAC 6. Under the rules, taxpayers and their advisers are required to report to HMRC details of certain types of cross-border arrangements. A cross-border arrangement is reportable if it meets one of a number of ‘hallmarks’. These hallmarks, which are set out in the Directive, are features commonly seen in schemes that could be used to avoid or evade tax. The first reports were due to be made from 1 July 2020, but due to COVID-19, the first reporting deadlines have been deferred by six months to January 2021. The reporting obligation will normally fall on ‘intermediaries’. The term ‘intermediary’ applies to any person who:

- designs
- markets
- organises
- makes available for implementation
- manages the implementation of

a reportable arrangement. It also includes anyone who provides aid, assistance or advice in respect of such an arrangement.

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Arrangements have to be reported within 30 days of the earliest of these dates:
• the day after the arrangement was made available for implementation
• the day after the arrangement was ready for implementation
• the day the first step in the implementation of the arrangement was taken
• the day after the intermediary provided aid, assistance or advice with respect to
  the arrangement.

Where there is no reporting intermediary, the taxpayer implementing the arrangement
must report.

The reporting rules apply to new arrangements from 1 July 2020, but any arrangement
where the first step was taken on or after 25 June 2018 (when the Directive came into
force), must also be reported.

Penalties may be charged if a person fails to meet their obligations under these rules.
However, no penalty is due where a person has a reasonable excuse for the failure.

More information:
The International Tax Enforcement (Disclosable Arrangements) Regulations 2020.

Guidance has been published in the International Exchange of Information Manual,
which can be found on GOV.UK.

Disguised Remuneration Loan Charge
The deadline for settling disguised remuneration scheme use in order to not pay the
loan charge has now passed. If any of your clients haven't reported and paid the loan
charge already, they should do so now. Self Assessment returns that are submitted
now are late and may be liable to interest and penalties.

If your clients want to settle outstanding liabilities in relation to disguised remuneration
loans that are not subject to the loan charge, they can settle them under the August
2020 terms. We will update this guidance in autumn 2020 to include loans that are
subject to the loan charge.

If anyone wants to settle a mixture of both types of disguised remuneration liabilities
at the same time, they should email ca.loancharge@hmrc.gov.uk to let us know.
We will contact them when guidance about loans subject to the loan charge has
been published.

Disguised remuneration loan charge update webinar
We recently hosted a webinar that provided an update on the loan charge and an
overview of the guidance recently published. You can listen to a recording of the
webinar on GOV.UK.

Further help and support
Anyone subject to the loan charge who is concerned about paying, or who wants to
settle their disguised remuneration scheme use under the new terms, should contact us.
We want to help people to pay what they owe and recognise that some people may
have difficulty doing this.

Those with concerns can call us on 03000 599110, speak to their usual contact or
email ca.loancharge@hmrc.gov.uk.

New General Anti-Abuse Rule (GAAR) advisory panel opinion published
We have published Spotlight 56 – Disguised remuneration: tax avoidance by owner
managed companies using remuneration trusts.
Find out about the independent GAAR advisory panel opinion on a tax avoidance
arrangement that rewarded a director through a remuneration trust.
You may want to advise anyone who is thinking of using this type of arrangement that HMRC views it as tax avoidance. The Panel agreed with HMRC’s view that entering into and carrying out these arrangements was not a reasonable course of action. You can also direct them towards Spotlight 56 for more information.

VAT reverse charge on building and construction services - delayed introduction

The reverse charge measure will now come in on 1 March 2021. This is to help construction businesses deal with the effects that the coronavirus pandemic has had on them and give them more time to prepare. A Revenue and Customs Brief, issued in June 2020, gives more detail.

Further information on the scope of the reverse charge and how it will operate can be found in this guidance note.

In September, every VAT-registered construction business will have received an individual letter. This advised them to check if they might be liable for the reverse charge. If they are, they should start to prepare now.

The key aspects are:

- it will apply to standard and reduced-rated supplies of building and construction services made to VAT registered businesses, who in turn also make onward supplies of those building and construction services
- the contractor will be responsible for paying the output VAT due rather than the sub-contractor but can continue to reclaim this amount as input tax
- the scope of supplies affected is closely aligned to the supplies required to be reported under the Construction Industry Scheme but does not include supplies of staff or workers for use by the customer
- the legislation introduces the concept of “end users” and “intermediary suppliers” – this covers businesses or groups of associated businesses that do not make supplies of building and construction services to third parties and as such are excluded from the scope of the reverse charge if they receive such supplies, examples include landlords, tenants and property developers.

HMRC will be running a series of webinars for businesses and Talking Points webinars for agents.

For business webinars, please register here. If no dates are showing as available, the webinar recordings will be made available online.

More information on the Construction Industry Scheme can be found on GOV.UK.

Trust Registration Service

The Trust Registration micro service is fully functional. You should use it now to; register, update details, declare “no change”, or close all types of Trusts and Estates. You can access the micro service on GOV.UK using the following links:

For Trusts:
- Manage your trust’s details
- Register a trust as a trustee
- Register a trust as an agent

For Estates:
- Self Assessment tax returns
- Register your client’s estate.

These links will take you to the relevant landing page. To launch the micro service, select the green “start now” button.

The iForm has now been decommissioned:

The original service (iForm) hasn’t been available since 23 September 2020 and it is no longer possible to use this service.
UK Transition

Applications are open for £50m customs grant scheme

There is just over two months left until the Transition Period ends, and customs controls will be introduced between Great Britain and the EU. Customs declarations will be needed whether or not there is a free trade agreement between the UK and the EU. Most traders will need a customs intermediary to support them with these new requirements and to make sure that intermediaries can support their established customers and this new market, we're encouraging applications for our customs grant scheme. If you anticipate taking on new staff and training them ready for this new demand, you will need to recruit as soon as possible. The grant scheme can help you cover the additional cost in the run up to 1 January 2020.

The current phase sees a record £50 million investment to support with recruitment, training and IT to handle customs declarations. Customs intermediaries – including customs brokers, freight forwarders and express parcel operators – as well as traders who complete their own declarations are among those who can apply.

The grant can cover salary costs for new or redeployed staff, up to a limit of £12,000 per person and £3,000 for recruitment costs for new employees. This will help recruit new staff and train them up ahead of July 2021, when all traders moving goods will have to make declarations. The grant scheme will continue to offer financial support for training costs to upskill staff and for IT to cover expenses for software, set-up costs and related hardware.

Grants will be issued on a first come, first served basis. Applications will close on 30 June 2021, or earlier if all funding is allocated.

The grant scheme is administered by PricewaterhouseCoopers (PwC) on behalf of HMRC. For more information on the scheme and how to apply, please read the guidance on GOV.UK.

UK Transition: Changes for the self-employed going to work in or from the European Union (EU), the European Economic Area (EEA) or Switzerland from 1 January 2021

Introduction

If you have self-employed clients who work in the EU, EEA or Switzerland, or they are from one of these countries and working in the UK please read this article. It tells you about:

- Starting self-employment in the EU, EEA or Switzerland before 1 January 2021
  - Applying for a Portable Document A1 (PDA1) or E101 Certificate for a period that starts before 1 January 2021
- Starting self-employment in the EU, EEA or Switzerland after 1 January 2021
  - What the Withdrawal Agreement sets out (reference to the Withdrawal Agreement also includes related agreements with EEA EFTA countries and Switzerland.)
  - Applying for a PDA1or E101 Certificate for a period that starts after 1 January 2021
- New rules for self-employed from the EU, EEA and Switzerland working in the UK
- UK’s future relationship with the EU
- Right to work in the EU, EEA and Switzerland from 1 January 2021
- The UK’s social security agreement with the Republic of Ireland

There is a transition period until 31 December 2020 during which the current rules on social security coordination are continuing.

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Starting self-employment in the EU, EEA or Switzerland before 1 January 2021

The current European social security coordination rules will be used to work out which country’s social security scheme self-employed people will have to pay contributions to. This covers UK based people who will start working in one or more of the EU, EEA countries and Switzerland before 1 January 2021, and those from the UK, EU, EEA or Switzerland working in one or more of those countries and Switzerland before 1 January 2021.

Applying for a Portable Document A1 (PDA1) or E101 Certificate for a period that starts before 1 January 2021

Provisions in the Withdrawal Agreement and related agreements with the EFTA countries and Switzerland ensure that the current EU social security coordination rules will continue to apply after 31 December 2020 to certain individuals, whether a future relationship agreement between the UK and the EU on social security coordination is agreed or not.

Self-employed people should continue to apply for PDA1s and E101s as normal if they are to start working before 1 January 2021 in a situation involving the UK and one or more of the EEA countries and Switzerland.

If a self-employed individual wants to apply for a PDA1 or E101 they should use one of the following application forms

• **CA3837** – use this if the person is normally self-employed in the UK but will be working temporarily in the EU, EEA or Switzerland
• **CA8421** – use this if the self-employed individual works in two or more of any of the UK, EU, EEA countries or Switzerland

When working in an EU, EEA country or Switzerland, the PDA1 or E101 can be used as evidence that HMRC has applied EU social security coordination rules and has determined that UK National Insurance contributions are due.

If HMRC have issued a PDA1 or E101 that started before 1 January 2021, the worker will pay UK National Insurance contributions for the period stated on the document. However, please see the ‘Right to work in the EU, EEA and Switzerland after 1 January 2021’ part of this article if the certificate has an end date after 31 December 2020.

Starting self-employment in the EU, EEA or Switzerland after 1 January 2021

The **Withdrawal Agreement** sets out the terms of the UK’s withdrawal from the EU. Part Two of the Agreement provides for a deal on citizens’ rights.

From 1 January 2021 the current EU social security coordination rules will continue to apply to people in scope of the Withdrawal Agreement and these agreements:

• **Part 2 of the EEA EFTA Separation Agreement**
• **Part 3 of the Swiss Citizens’ Rights Agreement**

Applying for a PDA1 or E101 Certificate for a period that starts after 1 January 2021

Self-employed people should continue to apply to HMRC for PDA1s and E101s if they are starting work after 31 December 2020 in a situation involving the UK and one or more of the EEA countries and Switzerland. For example, a self-employed person normally working in the UK who will temporarily work in France

While negotiations with the EU are ongoing, HMRC will only be able to process applications for PDA1s or E101s for the self-employed in scope of the Withdrawal Agreement, one of the related agreements with EFTA countries and Switzerland. Further guidance will be issued in due course.

*section continues*
Self-employed individuals from the EU, EEA and Switzerland working in the UK

If a self-employed individual is from the EU, EEA or Switzerland and starts working in the UK before 1 January 2021 and they have a PDA1 which shows they are subject to an EU, EEA country or Swiss legislation, they will not have to pay UK National Insurance for the period stated on the PDA1 even if it ends after 31 December 2020, so long as their situation remains unchanged. If they have a PDA1 which shows they are subject to UK legislation, they will have to pay UK National Insurance.

If the self-employed individual is an EU, EEA or Swiss national and they haven't applied for settled or pre-settled status, they should consider register with the EU Settlement Scheme by 30 June 2021.

If the self-employed individual is from the EU, EEA or Switzerland and they do not have a PDA1 and they work in two or more of any of the UK, EU, EEA countries or Switzerland, you or they should apply for a PDA1 to the social security institution of the country where they reside.

Normally, if an individual is from the EU, EEA or Switzerland and only works in the UK, they do not need a PDA1 because they will be liable to pay UK National Insurance.

UK’s future relationship with the EU

The Government has been clear that there will be changes to future social security coordination arrangements for those individuals not in scope of the Withdrawal Agreement and the related agreements with EEA EFTA countries and Switzerland. The Government continues to work with the EU to establish practical, reciprocal provisions on social security coordination which includes preventing dual concurrent social security contribution liabilities. The UK Government published a mandate on 27 February outlining the UK’s approach to negotiations on the future relationship with the EU after 31 December 2020.

Right to work in the EU, EEA and Switzerland from 1 January 2021

For periods after 31 December 2020, individuals should check the immigration rules in the country that they will be working in. Although Part Two of the Withdrawal Agreement protects social security coordination rights for certain UK and EU citizens, it does not protect the right to work in countries they are not resident in unless they are a UK national with rights as a frontier worker by 31 December 2020. A frontier worker is a person who resides in either the UK or the EU, EEA or Switzerland who works in one or more of those countries but not the one they reside. So, this could affect individual’s resident in the UK who work in the EU, EEA or Switzerland.

The UK’s social security agreement with the Republic of Ireland

The UK has reached a reciprocal agreement with Ireland which ensures that social security coordination continues after 31 December 2020 when considering moves by UK or Irish nationals between the UK and Ireland. The UK and Ireland have ensured that social security coordination continues on the same terms that are currently in place. More information on this can be found on GOV.UK.
PAYE

Reporting Pay As You Earn (PAYE) in real time
HMRC have published an article in the October 2020 Employer Bulletin advising employers of the continuation of the risk-based approach to charging penalties. It also provides information on reporting your payroll information accurately and on time, and the importance of Generic Notification (GNS) electronic warning messages.

Student and Postgraduate Loans thresholds and rates from 6 April 2021
The thresholds for Plan 1 and Plan 2 Student Loans are increasing from April 2021. The thresholds for the current tax year 2020-2021 are:

- Plan 1 – £19,390
- Plan 2 – £26,575.

The Department for Education has confirmed that from 6 April 2021 the thresholds will increase to:

- Plan 1 – £19,895
- Plan 2 – £27,295.

From 6 April 2021 we will be introducing a new loan type for Scottish Student Loans (SSL) known as Plan 4. The Plan 4 threshold will be £25,000. Student loan deductions will continue to be calculated at 9% on earnings above the Plan 1, Plan 2 or Plan 4 threshold.

More information on SSL can be found on Agent Update 79.

The Postgraduate Loan threshold will remain at £21,000. Earnings above £21,000 will continue to be calculated at 6%.

Starter Checklist – Student and Postgraduate loan
To help establish what Student and/or Postgraduate Loan your clients’ new employee has we encourage the employee to complete the Student and Postgraduate Loan section of the starter checklist.

Once completed, the checklist should explain which loan and/or plan type to use, if the employee doesn’t know their Loan and/or Plan type, they can check on GOV.UK. This will allow you to start taking the correct loan deductions immediately.

Student and Postgraduate Loan refunds
Where Student and/or Postgraduate Loan deductions have been taken incorrectly within the current tax year, HMRC will write to you to tell you to stop taking current year deductions and refund through payroll.

The ongoing COVID-19 situation means we are introducing new ways of working for repayments for previous years. These will be electronic payments to bank accounts and will no longer be Payable Orders.

As a result of this change, we will write to customers requesting they either call or write in with their bank account details to allow us to process their refund.

If your client’s employee has any concerns about the letter we have issued, tell them to call HMRC on 0300 200 3300.
Off-payroll working rules (IR35): education and support available to customers

From 6 April 2021, there are important changes to the off-payroll working rules. HMRC is relaunching its programme of support to help you prepare.

This bulletin sets out the comprehensive package of support that is available. You can use this to decide what you, and your clients, can do to prepare, and when.

Your clients will need to prepare for the changes if they are:

- A medium or large sized non-public sector organisation which engages contractors who work through their own intermediary
- An employment agency which supplies contractors who work through their own intermediary
- A public authority – there are additional changes from April 2021.

A contractor who provides services through your own limited company or other intermediary. We recognise that businesses are facing difficult challenges due to COVID-19. HMRC are providing information and support now to ensure businesses have plenty of time to prepare for the changes coming into effect in April 2021. Many contractors and organisations have already begun doing so, and any preparation now will remain valid for April 2021.

Please help your clients to prepare for the changes by sharing information on the support available with anyone who may be affected by the rules.

All the support options set out below are also relevant for public sector engagements.

[Section continues]
## Step 1 - Understanding the off-payroll working rules

<table>
<thead>
<tr>
<th>Support available</th>
<th>Description</th>
<th>Most relevant for...</th>
<th>When is the support available?</th>
<th>How to access the support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-Payroll Working rules GOV.UK guidance</td>
<td>Links to up-to-date guidance, and other support, on the rules can be found at the off-payroll page.</td>
<td>Clients and Fee-payers: ✔ Tax Agents: ✔ Contractors: ✔</td>
<td>Now</td>
<td><a href="https://www.gov.uk/topic/business-tax/ir35">https://www.gov.uk/topic/business-tax/ir35</a></td>
</tr>
<tr>
<td>Contractor resources</td>
<td>Additional material to support contractors. For example, a flowchart and factsheet.</td>
<td>Tax Agents: ✔ Contractors: ✔</td>
<td>Now - will be updated throughout Autumn</td>
<td><a href="https://www.gov.uk/government/publications/off-payroll-working-rules-communication-resources">https://www.gov.uk/government/publications/off-payroll-working-rules-communication-resources</a></td>
</tr>
</tbody>
</table>

### Overview webinars

| Overview of the off-payroll working rules for contractors | Provides contractors with an overview of the reform and an outline of what they need to do to prepare for April 2021, including the practical accounting requirements for them and their limited company or other intermediary. | Clients and Fee-payers: ✔ Tax Agents: ✔ Contractors: ✔ | Starting late October (running to April 2021) |
| Making the determination, disagreements and record keeping | Covering HMRC’s view on requirements to make a determination and what constitutes a disagreement. Some aspects of this webinar may be relevant to contractors. | Clients and Fee-payers: ✔ Tax Agents: ✔ Contractors: ✔ | Starting late Autumn (running to April 2021) |
### Step 2 - Further support available if you need detailed information on the changes

<table>
<thead>
<tr>
<th>Support available</th>
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<tr>
<td>Topic based webinars</td>
<td>Topic based webinars will provide detailed support on key topics where customers may need additional education, but customers attending these events should have a good understanding of the basics of the off-payroll working rules. Some aspects of the webinars may be relevant to contractors, but are aimed at organisations.</td>
<td>Clients and Fee-payers</td>
<td>Yes</td>
<td>You can register for these at <a href="https://www.gov.uk/guidance/help-and-support-for-off-payroll-working">https://www.gov.uk/guidance/help-and-support-for-off-payroll-working</a>. Dates will continue to be added when available.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tax Agents</td>
<td>Yes</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Contractors</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>International issues</td>
<td>How off-payroll working interacts with international and overseas issues. This webinar will be most relevant for customers in Gas &amp; Oil, Media, Transport and Utilities sectors.</td>
<td>Clients and Fee-payers</td>
<td>Yes</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Tax Agents</td>
<td>Yes</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Contractors</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Engagements where the rules apply</td>
<td>The responsibilities of relevant entities within the contractual chain and what engagements should be considered, including contracted out services. This webinar will be most relevant for customers in IT, Business Services, Construction, Real Estate, Oil &amp; Gas and Utilities sectors.</td>
<td>Clients and Fee-payers</td>
<td>Yes</td>
<td></td>
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<td></td>
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<td>Tax Agents</td>
<td>Yes</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Contractors</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Fee-payer responsibilities</td>
<td>Practical requirements of operating PAYE and deemed employment payment calculations. This webinar will be most relevant to Employment Agencies and Recruiters, and clients who directly engage with contractors.</td>
<td>Clients and Fee-payers</td>
<td>Yes</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Tax Agents</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contractors</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>
### Step 2 - Further support available if you need detailed information on the changes (continued)

<table>
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<tr>
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</table>
| **Workshops**     | Workshops for small groups of customers will be delivered virtually to provide a comprehensive overview of what the changes mean and will be targeted to specific sectors or customer groups.  
Sector specific - Aimed at specific sectors and the issues that affect them: Banking, Oil and Gas, Public Sector and Construction. 
More sectors may be added based on customer feedback.  
Tax agents - Focused on accounting treatment and record keeping for tax agents who deal with contractor’s intermediaries.  
Agencies - Focused toward the requirement of recruiter and agencies when dealing with contractors and clients. | Clients and Fee-payers | Tax Agents | Contractors | Starting from November | HMRC will work closely with stakeholders to ensure that the right customers are invited to workshops. Invites will be sent via trade and representative bodies. |
| **Education Calls** | Tailored education calls will be offered to customers with the greatest support needs.  
We will continuously update the list of customers who are invited to take part in an education call based on customer insight and feedback. | Clients and Fee-payers | Tax Agents | Contractors | Starting from late November | HMRC will directly contact customers to invite them to an education call. |
Mid-sized Business (MSB) Construction sector looking for your views

HMRC is committed to helping businesses get the help and support they need about tax matters.

We know that a number of sectors have been impacted by COVID-19, but we’re especially keen to reach out to Mid-Sized Businesses and their agents to get a better understanding of the current state of the Construction Industry. This is so we can gather insight on ways HMRC can support the sector (although any financial support is outside of our remit).

HMRC defines a Mid-Sized Business as a business with:
• a UK turnover of over £10million and/or
• 20 or more employees
and that does not fall within Large Business.

If you are a Mid-sized Business or agent of a Mid-sized Business within the Construction Industry, we would welcome your views. We’ll be writing to Mid-Sized Construction businesses to ask for insight on the following areas so we can target our support:
• how has your business been affected by COVID-19?
• have you been able to find the guidance you have needed?
• what are the biggest changes you have had to make to your business?
• has your use of technology increased, for example electronic invoicing?
• has social distancing impacted your ability to work?
• has project financing been affected, for example lenders pulling out of contracts?
• what does the future look like for your business?

We welcome your advance feedback on this proposed engagement and here’s how you can provide it:
• we will be liaising with joint engagement forums to share some of our ideas and ascertain collective views. You may wish to attend these forums and/or provide feedback to your professional bodies to respond on your behalf.
• we will also welcome suggestions via the MSB Construction Team mailbox, Constructionmsb@hmrc.gov.uk. Please provide comments by Monday 23 November 2020.

We appreciate that other sectors have also been affected by the impact of COVID-19 and would welcome views on how we can provide better support to our Mid-Sized Business customers. If you have any suggestions for more general improvements, please share your ideas using our Customer Engagement team mailbox which is accessible through the government gateway. Customer Engagement Team contact

Self Assessment peak reminder campaign

Every year HMRC issues a series of targeted emails and SMS messages (texts) to remind customers of their obligation to file and pay by the Self Assessment deadline. This year, HMRC understands that circumstances will have changed for many due to the impact of coronavirus (COVID-19), so this year, our emails and SMS will be slightly different from previous years:
• we’re emphasising the help and support available to customers who may find it difficult to either file or pay their Self Assessment
• we’re sending reminders to all customers, including those represented by an Agent; previously these customers only received a generic Self Assessment help and support email.

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We are planning to send reminders on:

- Tuesday 17 November 2020 and Wednesday 18 November 2020
- Tuesday 8 December 2020 and Wednesday 9 December 2020
- Tuesday 5 January 2021 and Wednesday 6 January 2021

We anticipate that there may be a slight increase in contact from customers to their Agents as a result of this change. The email and SMS will clearly explain that although the onus is on the customer to ensure their SA return is filed and paid by the deadline, customers who are represented by an Agent should continue to work with their representative to ensure their obligations are met.

**Agent Online Self-Serve (AOSS)**

Work is underway to upgrade the service, which will result in the view of clients’ PAYE Liabilities & Payments (L&P) data, being exactly that as seen by the client employer. Initially, this will only be available to those agents who either currently use AOSS or, have been presented with an invitation to use AOSS, but declined.

We expect to deliver this upgrade in early November. A full article will appear in December’s update.

**Are you aware of HMRC’s Business Tax Account?**

HMRC recognises that Agents provide a valuable service, supporting their clients in managing their tax obligations. Some clients however, may wish to manage certain business taxes by themselves and to do that, would benefit from having a Business Tax Account.

The HMRC Business Tax Account is an online account which brings together all a customer’s business taxes in one place. We’ve published new guidance on GOV.UK which gives more detail on who can use the Business Tax Account, what it can be used for and how to sign up.

You can also share this guide with your clients for awareness. Even if you manage all tax affairs for your clients, they can still use the Business Tax Account to monitor what’s happening in their account.

**Changes to our opening hours**

At the start of the pandemic we reduced our phone helpline opening hours to 8am-4pm, to offer customers the best service we could at the times they needed us the most. We’ve reviewed the situation regularly, monitoring when our customers are contacting us, and are now extending the opening hours for most of our helplines to 8am-6pm. As part of this, we’re also changing our webchat opening hours, no longer offering webchat after 8pm or on Sundays, so we can make more advisers available when customers need us most.

There will be a few exceptions to this, so please check GOV.UK for more information about our helplines and their opening hours.

**Statutory Residence Test - clarifications due to coronavirus Q&A**

HMRC have published a series of questions and answers (Q&As). These explain the position about coronavirus and the effect on individuals who rely on the Statutory Residence Test (SRT) to work out their residence status.

The link to the new guidance can be found on GOV.UK.
Customer Protection

We know that scammers take advantage of newsworthy events such as the Self Assessment peak and the COVID-19 pandemic. Preventing and disrupting scams which take advantage of the government’s financial support packages is especially important to us.

HMRC has evolved the department’s response to multi-channel cyber threats, covering criminal attacks on customers by email, website, text, phone and social media. While many other scam-reporting services simply allow victims to report scams, HMRC’s approach prevents scams.

We have developed and deployed innovative technologies to prevent misleading and malicious communications ever reaching customers and businesses. Work to thwart email phishing has seen HMRC identify and report more than 50% of malicious websites proactively before customers have even reported them to us.

We also work with the telecoms industry to make text contact from HMRC easier to distinguish from suspicious messages.

HMRC works with groups being targeted to reduce the impact and, through partnership with other UK and international law enforcement bodies, we are able to tackle and undermine many cyber threats. An example was the recent conviction of a Bulgarian fraudster who created scripts used in HMRC phishing attacks, who was prosecuted and sentenced to nine years. (Details here).

In the last 12 months HMRC has:

- reported more than 10,870 malicious web pages for takedown
- responded to more than 651,600 referrals of suspicious HMRC contact from the public
- initiated the removal of more than 2,634 phone numbers being used to perpetrate HMRC-related phone scams and responded to more than 215,000 reports of phone scams.

To complement this work, since 2017 we have recovered hundreds of misleading HMRC-branded domains (website names) hosting low value services such as call connection sites, saving the public an estimated £2.4m. We achieved this by utilising international internet governance processes.

Through this work and with the help of national and international law enforcement co-operation, HMRC has dropped from 14th to 16th most-phished brand in the world over the last three years.

Paying HMRC

There are several ways to pay HMRC. You can do this by:

- Direct Debit
- Faster Payment
- BACs
- CHAPs
- personal debit card
- corporate credit and debit card*

*Payments made by corporate credit card incur a surcharge which goes direct to merchant acquirers, card schemes and card providers. This will also apply to corporate debit cards from 1 November 2020. You may want to consider another payment method if you do not wish to incur this surcharge.

Customers experiencing difficulties should contact HMRC as soon as possible.

If you know anyone who pays HMRC, particularly by corporate credit or debit card, you may want to direct them to this advice. More information about paying HMRC is available on GOV.UK.
Peer Networks/Small Business Leadership Programme

Government support to improve small business leadership and problem-solving skills

As the coronavirus (COVID-19) crisis spurs British businesses to adopt new ways of working, the government is investing £20 million to improve small businesses’ management, productivity and problem-solving skills through 2 training programmes. There are 6,000 on the Peer Networks programme (with a possible further 4,000 – subject to demand) and 2,000 places available on the Small Business Leadership Programme. Interested small business leaders are encouraged to sign up now to secure a place.

Agents who are SMEs are encouraged to consider applying for these programmes and to publicise them among SMEs who they work with. Details can be found on GOV.UK.

Government support for businesses

Government has recently launched a new Business Support campaign. This brings a range of business advice and support into one place, from help with finance and business planning, to export advice. For more information, visit www.businesssupport.gov.uk.

Trusts and Estates newsletters

HMRC regularly publishes a Trusts and Estates newsletter. It contains the latest news, updates and guidance on Inheritance Tax and trusts. These newsletters can be found here.

Consultations

Check the status of tax policy consultations

Find out about ongoing and closed tax policy consultations. Check the status of tax policy consultations

ODS, 15.4KB

This file is in an OpenDocument format.

Tax Agent Toolkits

HMRC have 19 agent toolkits available for you to download and use. They have been designed to address the most common errors seen from previous years. They include checklists of the key issues to consider and links to HMRC technical guidance and manuals.

The complete catalogue of toolkits has been updated to assist you with completion of:
- 2019 to 2020 Company Tax Returns
- 2019 to 2020 Self Assessment Tax Returns including Capital Gains Tax toolkits
- 2019 to 2020 National Insurance Contributions and Statutory Payments, employers’ end of year forms and 2020 to 2021 record keeping
- 2019 to 2020 Property Rental Income
- 2020 VAT toolkits.

By identifying the most common errors this may prompt a conversation between you and your clients to ensure submissions are correct.

Contacts

Agent Blog

Did you know there is a regular Tax agent Blog, highlighting the work HMRC do with tax agents, advisers and professional bodies?

We cover agent specific news and updates, consultations and HMRC’s agent strategy to name but a few.

You can subscribe here to receive a notification when a new blog is posted.
Complain to HMRC
To make a complaint to HMRC on behalf of your client you must be appointed as their Tax Advisor.

Employers need to register for email alerts
As the Department moves rapidly down the digital road, it is becoming more apparent that the days of paper mailings are numbered. It is important agents encourage employers to register to receive email alerts so they are aware of the latest coding changes and important information that is published on the Government webpages.

Where's My Reply? for tax agents
Find out when you can expect to get a reply from HMRC to a query or request you have made. There is also a dedicated service for tax agents to:
  • register you as an agent to use HMRC Online Services
  • process an application for authority to act on behalf of a client amend your agent details.

Manuals
Recent Manual updates
You can check the latest updates to HMRC manuals or subscribe to automatic notification of changes.

RDRM & Deemed domicile
The domicile chapter within the RDRM has now been updated to include the changes applicable from the introduction of deemed domicile.
For more information, see the Residence, Domicile and Remittance Basis Manual on GOV.UK.

Online
Future online services downtime
Information is available on any downtime that may affect the availability of HMRC’s online services. Please note this is subject to change and confirmation by HMRC’s IT provider.

Online security - stay safe online
HMRC continuously monitors systems and customer records to guard against fraudulent activity, providing regular updates on scams we are aware of. If you have any concerns regarding the authenticity of any emails received from HMRC, see the online security pages for agents.

Phishing emails and bogus contact: HMRC examples
A new type of phishing scam regarding ‘Tax Returns’, which is being circulated in high volumes, has been added.

Online training material and useful resources for tax agents and advisers
HMRC videos on YouTube, online learning modules, and live and pre-recorded webinars are available for tax agents and advisers providing you with free help, learning and support on topical subjects.

section continues>
Publications

Spotlights
Check for new additions.

**Employer Bulletin**
The latest edition of Employer Bulletin is now available and contains topical and useful information about PAYE processes and procedures. For employers to be informed when it is available on the website, they must [first register to receive the email alerts](#).

**HMRC: Trusts and Estate newsletters**
The latest edition provides more information about the Trust Registration Service.

**National Insurance Services to Pensions Industry: countdown bulletins**
Countdown Bulletin 53 has been added to this collection.

**Pension schemes newsletter**
This newsletter is published by HMRC’s Pension Schemes Services to update stakeholders on the latest news for pension schemes.

**Revenue and Customs briefs**
These are briefs announcing changes in policy or setting out the legal background to an issue. They generally have a short lifespan, as announced changes are incorporated into permanent guidance and the brief is then removed.
Agent Forum - working to support the agent community

With a membership of over 1000 Agents, the online Agent Forum is a platform designed to share information and resolve any issues with HMRC systems or processes that may have widespread impacts on the agent community and taxpayers.

Once registered, agents can access help, support and guidance on general tax matters as well as real time updates from agents and HMRC. Agents can also post ideas and best practice to help the wider agent community and improve operation of the tax system.

Paid Tax Agents and legal representatives who are members of Professional Bodies, can join the forum by registering at HMRC Community Forums on GOV.UK. Agents can access information and guidance on the use of the Agent Forum from the HMRC Agent Forum User Guide. The User Guide and T&Cs are now on the forum platform under the Knowledge Base > Agent Update, Webinars & Toolkits (Agents Only). Within the list there are 2 headings and the links below will give you direct access. You do not need to be logged into the Agent Forum to access any Knowledge Base Articles

- KA-01298 Purpose of the Agent Forum
- KA-01298 Agent Forum Access and Posting.

HMRC aim to respond to potential issues raised on the forum in a timely manner, but there may be times when this isn't always possible due to the nature of the issue.

When a potential issue is raised, HMRC may ask for other agents to post additional examples or approach firms directly for specific information that will assist an investigation. Professional Bodies identify issues requiring prioritisation by advising the Agent Forum team, and then review and action a solution through engagement forums with HMRC. These include the Agent Support Group and Issues Overview Group. Details of these groups are available on GOV.UK. Contact details of Professional Bodies participating in these forums as part of the HMRC and Agents Working Together initiative are published in Agent Update.

The latest updates on these topics are published on the Agent Forum together with information on Coronavirus Support Schemes. Agents are invited to continue to contact their Professional Body if they are seeking prioritisation of issues posted on the online Agent Forum, or items to be raised in other HMRC forums.

Please note that to access via the links in the following section, you must be registered and logged into the Agent Forum. Clicking the link will give you direct access to the thread.

Recent issues trending on the forum include:
- PAYE-6357 P800 – Reporting Bank Interest
- SA-6321 HMRC Issues P800 for SA client.

The Agent Forum Team are requesting information on the following topics to assist investigation:
- SA-6675 Payments on account – HMRC systems blind spot
- SA-6880 Debt Recovery errors.

Recent successful results on the Agent Forum include:
- TRS-6688 Complex Estates – updating the register
- Others-6659 Inconsistent treatment by TCO staff.

Prioritised Issues

Issues recently prioritised include:
- SA-4994 Phones not answering on Agent lines again
- Others-5504 HMRC Webchat
- Others-5425 Taxpayers can only revert to paper communications by accessing their PTA.
The Pensions Regulator

Help your clients stay on top of their workplace pension responsibilities and avoid legal action

We’ve been keeping an eye on pensions throughout the Coronavirus pandemic, making sure we support employers and savers during this difficult time. While your clients’ business might have changed due to COVID-19, their responsibilities towards their staff haven’t. Your clients must continue to assess and put eligible staff into a pension, they must continue to make the correct contributions on time, and they must complete re-enrolment duties and their declaration of compliance.

Since the start of August, employers have had to pay for their own pension contributions and National Insurance contributions for all staff. During October they will still be able to claim 60% before the Job Retention Scheme closes.

With the government’s Coronavirus Job Retention Scheme due to close on the 31 October, it’s important to make sure your clients are aware of their automatic enrolment duties. Whether their staff are working or on furlough, they shouldn’t miss out on a pension because their employer failed to do the right thing. Please encourage your clients to read our employer guidance, so they don’t fall foul of the law.

Working Together Contact information for Professional and Representative Bodies
AAT
ACCA Jason Piper
AIA David Potts
ATT Jon Stride
CIMA
CIOT Jon Stride
CIPP Samantha Mann
IAB
ICAEW Caroline Miskin
ICAS Tax Team
ICB Jacquie Mount
ICPA Tony Margaritelli
IF A Anne Davis
VATPG Ruth Corkin
If you are not a member of a professional body, please contact the Agent Engagement Mailbox.