

Available Support for Businesses during COVID-19

28 April 2020



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1. Introduction

With the situation surrounding COVID-19 constantly changing, we are aware that you will have concerns about how it may impact on your businesses and employees. There is lots of misinformation being reported so we have sought to pull together a reference guide for clients to quickly identify support and assistance that has been made available by the government, together with details of how to apply for support where appropriate.

We will be updating this guide in the coming days, weeks and possibly months in line with further announcements of government measures. However, given how fast moving the situation is, we would strongly advise you to keep up-to-date daily and follow the advice from the government and other organisations we have listed on [page 67](#).

Last updated: 30 March 2020.

2. Support for individuals

The government understands people who are required to stay at home or are infected by COVID-19 may need financial support, and quickly.

It has announced that:

- those affected by COVID-19 will be able to apply for Universal Credit and can receive up to a month's advance up front without physically attending a jobcentre
- the 7 waiting days for Employment and Support Allowance (ESA) for new claimants will not apply if they are suffering from coronavirus or are required to stay at home – so it will be payable from day one.

2.1 Statutory sick pay and universal credit

To make sure people in work can take the necessary time off to stay at home if they are suffering from COVID-19 or to prevent its spread, changes have been made to Statutory Sick Pay and how Universal Credit supports self-employed claimants.

This includes:

- People who cannot work due to COVID-19 and are eligible for Statutory Sick Pay will get it from day one, rather than from the fourth day of their illness – the government intends to legislate so this measure applies retrospectively from 13 March 2020
- Statutory Sick Pay will be payable to people who are staying at home on government advice, not just those who are infected, from 13 March 2020 after regulations were laid on 12 March 2020 – employers are urged to use their discretion about what evidence, if any, they ask for
- If employees need to provide evidence to their employer that they need to stay at home due to coronavirus, they will be able to get it from the NHS 111 Online instead of having to get a fit note from their doctor – this is currently under development and will be made available soon
- Self-employed claimants on Universal Credit who are required to stay at home or are ill as a result of coronavirus will not have a Minimum Income Floor (an assumed level of income) applied for a period of time while affected.

2.2 Mortgage holidays

For those who find themselves in financial difficulties due to COVID-19, mortgage lenders are to offer a 3-month mortgage holiday. Individuals should contact their mortgage providers directly to request a payment holiday.

2.3 Universal Credit changes and Working Tax Credit changes

From 6 April the government is increasing the standard allowance in Universal Credit and the basic element in Working Tax Credit for 1 year. Both will increase by £20 per week on top of planned annual uprating. This will apply to all new and existing Universal Credit claimants and to existing Working Tax Credit claimants.

Further information on how to apply can be found here:

<https://www.understandinguniversalcredit.gov.uk/coronavirus/>

3. Deferral of VAT and Income Tax Payments

3.1 Deferral of Self Assessment (Income Tax) Payments

If you're self-employed, Income Tax payments due in July 2020 under the Self-Assessment system will be deferred to January 2021.

Additionally HM Revenue & Customs ("HMRC") announced on 26 March 2020 that if you are required to make a payment on account on the 31 July 2020, this may be deferred until 31 January 2021. Previously, this was only available to the self-employed but this has now been extended to all taxpayers within self-assessment. They have also confirmed that no interest or penalty charges will apply. HMRC have advised that where possible, taxpayers should still make the payment, subject to cash flow.

3.2 Deferral of the next VAT quarter payment

The chancellor confirmed that VAT payments for the next 3 months will be deferred until the end of the financial year. Therefore, businesses will not need to pay any VAT between now and June 2020 and the VAT due for this period will not need to be paid until the end of the 20/21 financial year.

In either instance, where tax is collected via direct debit, then organisations should should cancel their direct debit mandate with their bank if they are unable to pay and should do so in sufficient time so that HMRC do not attempt to automatically collect on receipt of your VAT return.

HMRC have now issued guidance where you choose to defer paying VAT. It should be noted that the concession does not include to payments due under the VAT MOSS Scheme:

https://www.gov.uk/guidance/deferral-of-vat-payments-due-to-coronavirus-covid-19?utm_source=41029de3-0a6d-43b8-91f2-81d142ea56a2&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

4. Making Tax Digital – soft landing period extended

To ease the pressure on businesses during this time, it has also been reported that due to COVID-19 the soft-landing period that was due to end on 31 March 2020 will now be extended 12 months. This means that businesses have additional time to ensure that they have the required digital links in place in their VAT return process.

5. Time to Pay Scheme

All businesses and self-employed people in financial distress, and with outstanding tax liabilities, may be eligible to receive support with their tax affairs through HMRC's Time To Pay service. These arrangements are agreed on a case-by-case basis and are tailored to individual circumstances and liabilities.

Time To Pay gives businesses a time-limited deferral period on HMRC liabilities owed and a pre-agreed time period to pay these back.

HMRC will discuss your specific circumstances to explore:

-  agreeing an instalment arrangement
-  suspending debt collection proceedings
-  cancelling penalties and interest where you have administrative difficulties contacting or paying HMRC immediately

5.1 When and how will this be available?

If you are concerned about being able to pay your tax due to COVID-19, call HMRC's dedicated helpline on 0800 024 1222.

6. Paying Employees Statutory Sick Pay during COVID-19

For workers who are self-isolating owing to COVID-19, Statutory Sick Pay (SSP) is payable from day one. For all other workers, SSP is payable from the fourth full day on sickness in the normal way.

Average pay has to be £118 per week to be entitled to SSP based on their pay over the previous 8 weeks. If an employee has worked less than eight weeks, their average pay is based on what has been paid to date. SSP is payable at a rate of £94.25 a week.

6.1 Will my business be able to recover SSP paid to staff?

-  Small and medium-sized employers will be able to reclaim SSP for sickness absence due to COVID-19
-  This refund will cover up to two weeks' SSP per eligible employee who has been off because of COVID-19
-  Only employers with fewer than 250 employees (as at 28 February 2020) will be eligible
-  Employers will be able to reclaim expenditure for any employee who has claimed SSP (according to the new eligibility criteria) as a result of COVID-19
-  Employers should maintain records of staff absences and payments of SSP, but employees will not need to provide a GP fit note
-  For clarity, employers cannot reclaim for those employees who were paid SSP for reasons other than COVID-19

6.2 Who can use the scheme

The scheme can be used by employers if they:

-  are claiming for an employee who's [eligible for sick pay](#) due to coronavirus
-  had a PAYE payroll scheme that was created and started on or before 28 February 2020
-  had fewer than 250 employees on 28 February 2020

The scheme covers all types of employment contracts, including:

-  full-time employees
-  part-time employees
-  employees on agency contracts
-  employees on flexible or zero-hour contracts

We will let you know when the scheme will end.

6.3 Connected companies and charities

Connected companies and charities can also use the scheme if their total combined number of PAYE employees are fewer than 250 on or before 28 February 2020.

6.4 Records you must keep

You must keep records of all the statutory sick payments that you want to claim from HMRC, including:

-  the reason why an employee could not work
-  details of each period when an employee could not work, including start and end dates
-  details of the SSP qualifying days when an employee could not work
-  National Insurance numbers of all employees who you have paid SSP to

You'll have to keep these records for at least 3 years following your claim.

6.5 When and how will this be available?

-  There is no system in place at present
-  The government will work with employers over the coming months to set up the repayment mechanism for employers as soon as possible.

We suggest you ensure you can evidence if asked those who have been paid SSP as a consequence of COVID-19.

7. Businesses rates retail holiday

The Government will introduce a business rates retail holiday for all retail, hospitality and leisure businesses in England for the 2020 to 2021 tax year. Guidance has also been updated to include nurseries based in England who are on Ofsted's Early Years Register and use their property wholly or mainly for the provision of the Early Years Foundation Stage.

Businesses that received the retail discount in the 2019 to 2020 tax year will be rebilled by their local authority as soon as possible.

A £25,000 grant will be provided to retail, hospitality and leisure businesses operating from smaller premises, with a rateable value between £15,000 and £51,000.

7.1 When and how will this be available?

Any enquiries on eligibility for, or provision of, the reliefs should be directed to the relevant local authority.

8. Small Business Grant Funding

The government will provide additional funding for local authorities to support small businesses that already pay little or no business rates because of small business rate relief (SBRR). This will provide a one-off grant of £10,000 to businesses currently eligible for SBRR or rural rate relief, to help meet their ongoing business costs.

8.1 When and how will this be available?

If your business is eligible for SBRR or rural rate relief, you will be contacted by your local authority – you do not need to apply.

Funding for the scheme will be provided to local authorities by government in early April.

8.2 Can I claim SBRR at the same time as the Retail, Hospitality and Leisure Grant Funding?

No. Further information about the RHLG can be found [here](#).

Some of the main local authority guidance in the North West include:

Liverpool City Council:

<https://liverpool.gov.uk/communities-and-safety/emergency-planning/coronavirus/coronavirus-support-for-businesses-and-employers/>

Manchester City Council:

https://secure.manchester.gov.uk/info/500361/coronavirus/7935/coronavirus_-_businesses_and_employers

Halton Borough Council

<https://hbcnewsroom.co.uk/coronaadvice/>

Cheshire West and Chester Council:

<https://www.cheshirewestandchester.gov.uk/news-and-views/incidents/coronavirus-covid-19/businesses-and-employees.aspx>

9. Retail, Hospitality and Leisure Grant Funding

In response to the coronavirus outbreak, the UK has government confirmed support for businesses in the Retail, Hospitality and Leisure sectors by the introduction of Retail, Hospitality and Leisure Grant ('RHLG') funding.

9.1 Who is eligible?

Businesses which on the 11th of March 2020 whose properties had a rateable value of less than £51,000 and would have been eligible for a discount under the Expanded Retail Discount Scheme. Charities which would otherwise meet this criteria but whose bill for 11 March had been reduced to nil by a local discretionary award should be still considered to be eligible for RHLG.

Businesses with rateable properties in excess of £51,000 are not eligible for support for this scheme.

9.2 How much will I receive?

-  Businesses with a property with rateable value of up and including £15,000 will receive £10,000
-  Businesses with a property with a rateable value of over £15,000 up to and including £51,000 will receive £25,000.

9.3 How do I make the claim?

The schemes will be delivered by your businesses local authority who will make contact with eligible businesses directly.

9.4 What businesses are excluded from the Retail, Hospitality and Leisure Grant?

-  Properties occupied for personal use i.e. private stables, beach huts and moorings
-  Car parks and car parking spaces
-  Businesses which were in liquidation or dissolved on 11th March 2020 are not eligible.

9.5 Can I claim both the Small Business Grant Funding and the Retail, Hospitality and Leisure Fund?

No. Businesses are only entitled to receive one grant in total from either scheme per property.

Further government information is available [here](#).

10. Funding available to Local Organisations

A recent announcement has confirmed that various Community Foundations have launched new funding programmes to assist local charities and community organisations. These funding programmes have been put in place to assist local communities affected by COVID-19 and allow them to continue to support those in need.

10.1 When and how will this be available?

Some of the funds which are available in the North West area include:

-  Cheshire Community Foundation – COVID-19 Response Programme. This programme is open to applications from charities who support disadvantaged and vulnerable people affected by COVID-19. Further information can be found here <http://cheshirecommunityfoundation.org.uk/community-foundation-launches-cheshire-and-warrington-covid-19-response-fund/>
-  Steve Morgan Foundation – COVID-19 Emergency Fund. This fund supports charities and not for profit companies in Merseyside, North Wales and Cheshire West. Further information can be found here <https://www.tfaforms.com/4811567>
-  Sport England - Coronavirus Emergency Fund. This fund aims to help community support and physical organisations who are experiencing short term financial hardship. Awards will generally be between £300 and £10,000 but consideration may also be given to funds above £10,000. Further information can be found here <https://www.sportengland.org/how-we-can-help/our-funds/community-emergency-fund>

For a full list of the Community Foundations that have launched funds please visit <https://www.grantsonline.org.uk/coronavirus.html>

11. Government introduce Bounce Back Loans during COVID-19 Pandemic

The Chancellor yesterday (27th April) announced further financial support during the COVID-19 pandemic in the form of a 'Bounce Back' Loan to support small businesses.

The 'fast-tracked' loan scheme will help small and medium sized businesses financially impacted by coronavirus to apply for loans of between £2,000 up to £50,000. In a marked difference from the CBILS criteria, the government have indicated that Bounce Back loans will be 100% government guaranteed, and the loan will be interest and fee-free for the first 12 months. No repayments will be due within the first 12 months of the loan period, with the government intending to agree a low interest rate with lenders for the remaining period of the loan, which can be spread over a maximum period of six years.

It is important to note that if you have already claimed funding under the Coronavirus Business Interruption Loan Scheme, you cannot also apply for support under the Bounce Back scheme. However those businesses who have already applied for and received a loan of up to £50,000 under CBILS can apply to have their loan product switched to the Bounce Back Loan Scheme, and can do so up until 4 November 2020.

11.1 Who will be offering the Bounce Back loan?

This will be available through a network of accredited lenders; further details are awaited.

11.2 Who can apply for the Bounce Back loan?

UK based businesses, who have been negatively impacted by coronavirus and who was not an '[undertaking in difficulty](#)' on 31 December 2019.

11.3 Who cannot apply for the Bounce Back loan?

-  Banks, insurers and reinsurers (excluding insurance brokers)
-  Public sector bodies
-  Grant funded further education establishments
-  State funded primary and secondary schools

11.4 How and when to apply?

The scheme will go 'live' on Monday 4th May and we will of course keep you updated as regards clarification of eligibility and application criteria.

11.5 Other developments...

The Government have launched a new [business support finder tool](#) for businesses and the self employed to quickly assess what financial support is available to them (this is yet to be updated with details of the Bounce Back Loan Scheme above).

The government are also proposing to introduce temporary new measures to safeguard the UK high street through the temporary ban of statutory demands (made between 1 March 2020 and 30 June 2020) and winding up petitions (presented from 27 April through to 30 June) where the company's inability to pay is the result of COVID-19. This is a complex area and you should [contact us for further advice](#) if you are affected. You can read more [here](#).

The CJRS portal has been up and running for a week now, and employers are due to receive furlough funds from today. The government have also issued further guidance about [how to claim for 100 or more furloughed employees](#) and the type of bank account details you must use.

We have also issued guidance as to how Mitchell Charlesworth will be [conducting our audit processes](#) during COVID-19.

12. Support Package for Innovative Businesses

The Government have yesterday (20 April) announced that UK businesses driving innovation and development will be helped through the coronavirus outbreak with a £1.25billion support package.

12.1 What is the support package?

The £1.25billion support package is open to innovative companies who are not eligible for any of the existing coronavirus rescue schemes and includes the following:

- 👉 £500 million investment fund for high-growth companies, made up of funding from both the Government and private investment (“the Future Fund”)
- 👉 £750 million of targeted grants and loans from Innovate UK for SME’s that focus on research and development.

The support package seeks to ensure that companies are protected through the crisis to enable them to continue to develop innovative new products and help power UK growth.

12.2 Eligibility Criteria

To qualify for the Future Fund, a company must:

- 👉 be an unlisted UK registered company and
- 👉 have raised at least £250,000 privately in the last five years.

The £750 million support is available to SME’s who focus on research and development as follows:

- 👉 up to £200 million of grant and loan payments for Innovate UK’s existing customers
- 👉 an additional £550 million to increase support for Innovate UK’s existing customers
- 👉 £175,000 of support will be offered to approximately 1,200 firms who are not currently receiving funding from Innovate UK.

12.3 When is it available?

The Future Fund is expected to launch in May and will initially be open until the end of September but will be kept under review.

The £750 million support will be available through Innovate UK’s grants and loan scheme with the first payments expected to be paid by mid-May.

12.4 How do I make a claim?

Further details on eligibility criteria and operation of the funds will be published in due course.

The Government’s full update can be read here <https://www.gov.uk/government/news/billion-pound-support-package-for-innovative-firms-hit-by-coronavirus>

13. Other available grant funding

In addition to the grant funding schemes announced by the Chancellor to support business through the COVID-19 pandemic, including the [Retail Hospitality and Leisure Grant Funding](#), and the [Small Business Grant Fund](#) we have collated some other avenues of grant funding that we have become aware of, covering a range of sectors and business sizes which may be of interest to you or others.

13.1 For the Creative Sector within the Liverpool Combined Authority:

Culture Liverpool have launched a new 'Music Fund', offering grants up to £10,000 in grant format (of the first £5,000 of funds) or loan funding (0% interest on funds between £5,000 and £10,000) to support micro businesses and SMEs in the sector.

Further information is available here: <https://www.cultureliverpool.co.uk/music-fund/>

The Liverpool Film Office have launched a new 'Film and TV Development Fund', providing investments (in the form of a recoupable advance to be repaid from production budgets if and when a project proceeds to production plus a max 3% net profit share) of between £2,500 to £25,000 per project to support development in the sector.

Further information is available here: <https://www.liverpoolfilmoffice.tv/development-fund/>

13.2 For freelancers working in film and television production:

The Film and TV Charity have created a "Covid-19 Film and TV Emergency Relief Fund", with one-off grants of between £500 and £2,500 available to primarily UK freelancers within the film, TV and cinema industries and other contract workers who will not benefit from CJRS or SEIS.

<https://filmtvcharity.org.uk/covid-19-help-advice/covid-19-relief-fund/>

Please note that applications for funding from the Film & TV Charity close at 6pm on Wednesday 22nd April.

13.3 Organisations innovating specifically to support society during COVID-19:

Innovate UK have released grant funding of up to £50,000 to support businesses to develop innovative projects specifically to support society throughout the COVID 19 pandemic, whose projects have eligible costs of between £25k - £50k

Further information is available here: <https://www.apply-for-innovation-funding.service.gov.uk/covid19/overview.html>

Please note that applications for funding from Innovate UK close on Friday 17th April at 12 noon.

13.4 Support for 18-30 year olds, either self employed or running their own business:

The Princes Trust and Natwest have developed an 'Enterprise Relief Fund', offering cash grants for self employed 18-30 year olds who are either self employed or running their own business, in order to maintain their core business operations and/or meet existing financial commitments.

More information here: https://www.princes-trust.org.uk/about-the-trust/coronavirus-response/enterprise-relief-fund?utm_source=twitter_mar&utm_medium=social&utm_campaign=natwest_relief_fund

13.5 The Cultural Sector:

Arts Council England are offering grants up to £35,000 for organisations in the cultural sector who have a track record in publicly funded culture. The grants are not available to National Portfolio Organisations or Music Education Hubs.

More information here: <https://www.artscouncil.org.uk/funding/financial-support-organisations-outside-national-portfolio>

Additionally, Arts Council England are offering grants of up to £2,500 to support individuals in the cultural sector including artists, creative practitioners and freelancers:

More information here: <https://www.artscouncil.org.uk/funding/financial-support-artists-creative-practitioners-and-freelancers>

13.6 Construction Sector to support apprenticeships and training:

As well as the Construction Industry Training Board having suspended its apprenticeship levy for a period of 3 months and paying apprentice grants in advance earlier this month, the CITB are now extending their funding to include those companies with between 100 and 250 employees who can now apply for funding from a pot of £4 million to support apprenticeships and training in the construction sector.

Further information is available here: <https://www.citb.co.uk/levy-grants-and-funding/grants-funding/>

13.7 The Heritage Sector:

The National Lottery Heritage Emergency Fund is available to support the NFP heritage sector organisations across the full breadth of heritage, including historic sites, industrial and maritime heritage, museums, libraries and archives, parks and gardens, landscapes and nature. Please note that this fund does not cover salary costs for those who are eligible for furlough.

<https://www.heritagefund.org.uk/news/heritage-emergency-fund-launches-help-sector-updated>

We would also remind businesses about [the Coronavirus Business Interruption Loan Scheme](#) that is available.

14. Coronavirus Business Support Finder Tool

The Government have launched a new Coronavirus Business Support Finder Tool to help business owners and the self-employed easily determine what financial support is available to them during the COVID-19 pandemic.

The business support finder tool will ask business owners/self-employed a series of questions via an online questionnaire before directing you to a list of all the financial support that you may be eligible for.

The questionnaire takes only a few minutes to complete and can be found here

<https://www.gov.uk/business-coronavirus-support-finder>

15. Coronavirus Business Interruption Loan Scheme (CBILS)

[Updated Coronavirus Business Interruption Loan Scheme \(CBILS\) – 3 April 2020](#)

A new temporary Coronavirus Business Interruption Loan Scheme, delivered by the British Business Bank, was launched on 23 March 2020 to support businesses to access bank lending and overdrafts. The government will provide lenders with a guarantee of 80% on each loan (subject to a per-lender cap on claims) to give lenders further confidence in continuing to provide finance to SMEs. The government will not charge businesses or banks for this guarantee, and the Scheme will support loans of up to £5 million in value. Businesses can access the first 6 months of that finance interest free, as government will cover the first 6 months of interest payments.

15.1 Guidance as to eligibility from British Business Bank (updated 23 March 2020)

The updated eligibility rules per British Business Bank are as follows:

-  Be UK-based in its business activity, with annual turnover of no more than £45m
-  Have a borrowing proposal which, were it not for the current pandemic, would be considered viable by the lender, and for which the lender believes the provision of finance will enable the business to trade out of any short-to-medium term difficulty.

It appears that the de-minimis state aid requirement has been removed. The website is also suggesting that there will be significantly fewer excluded trades from the scheme. The excluded trades include:

-  Banks
-  Building societies
-  Insurers and Reinsurers (but not insurance brokers)
-  The public sector including state funded primary and secondary schools
-  Employer, professional, religious or political membership organisation or trade unions.

The updated guidance now extends to fishery, aquaculture and agriculture trades, who can now qualify for the loan but not the interest and fees paid by the government for 12 months.

The key features of the loan scheme are as follows as per the British Business Bank website:

-  Up to £5m facility: The maximum value of a facility provided under the scheme will be £5m, available on repayment terms of up to six years (this may be updated as the Chancellor stated this would be increased to 10 year terms)
-  80% guarantee: The scheme provides the lender with a government-backed, partial guarantee (80%) against the outstanding facility balance, subject to an overall cap per lender
-  No guarantee fee for SMEs to access the scheme: No fee for smaller businesses. Lenders will pay a fee to access the scheme
-  Interest and fees paid by Government for 12 months: The Government will make a Business Interruption Payment to cover the first 12 months of interest payments and any lender-levied fees, so smaller businesses will benefit from no upfront costs and lower initial repayments
-  Finance terms: Finance terms are up to six years for term loans and asset finance facilities. For overdrafts and invoice finance facilities, terms will be up to three years

-  Security: At the discretion of the lender, the scheme may be used for unsecured lending for facilities of £250,000 and under. For facilities above £250,000, the lender must establish a lack or absence of security prior to businesses using CBILS. If the lender can offer finance on normal commercial terms without the need to make use of the scheme, they will do so
-  The borrower always remains 100% liable for the debt.

15.2 Support for larger firms through the COVID-19 Corporate Financing Facility

The chancellor also advised that more measures would be announced during w/c 23 March 2020 to ensure that medium and larger businesses can also access CBILS. Under the new Covid-19 Corporate Financing Facility, the Bank of England will buy short term debt from larger companies. This will support your company if it has been affected by a short-term funding squeeze, and allow you to finance your short-term liabilities. It will also support corporate finance markets overall and ease the supply of credit to all firms.

15.3 When and how this will be available?

The British Business Bank have provided more details on the qualifying criteria for the loan scheme. In order to meet eligibility for CBILS the business must:

-  Be UK based, with turnover of no more than £41 million per annum
-  Operate within an eligible industrial sector (a small number of industrial sectors are not eligible for support – see below)
-  Be able to confirm that they have not received *de minimis* State aid beyond €200,000 equivalent over the current and previous two fiscal years
-  Have a sound borrowing proposal, but insufficient security to meet the lender's requirements

There are certain companies that are not eligible to make the claim (<https://www.british-business-bank.co.uk/wp-content/uploads/2020/03/Ineligible-and-Restricted-Eligibility-Sector-2017.pdf>)

To apply for the funding, a business will need to approach one of the 40+ accredited lenders (<https://www.british-business-bank.co.uk/ourpartners/coronavirus-business-interruption-loan-scheme-cbils/accredited-lenders/>) directly rather than through the British Business Bank.

As we understand it to date, the scheme will be available to apply for from w/c 23 March 2020.

Further guidance is available here:

<https://www.british-business-bank.co.uk/ourpartners/coronavirus-business-interruption-loan-scheme-cbils/>

16. Updated Coronavirus Business Interruption Loan Scheme (CBILS) - 3 April 2020

Today, 3rd April 2020 the Chancellor Rishi Sunak has revealed the urgently awaited overhaul to the Coronavirus Business Interruption Loan Scheme (CBILS) originally introduced on 23 March, and the introduction of a new Coronavirus Large Business Interruption Scheme (CLBILS).

The temporary loan scheme originally announced by the Chancellor has not been without its troubles, with only 983 companies from 130,000 applicants having had their loans approved so far, prompting the Chancellor to take steps to refine and bolster the system by announcing:

16.1 A change included in the eligibility criteria “*all viable business affected by Covid-19*”.

Whereas previously the scheme was only available to small businesses who were unable to secure regular commercial financing, now, *all viable small businesses* will be eligible for financial support under the scheme if needed in order to remain operational during the crisis. Businesses must be able to self certify that they have been adversely impacted by the pandemic.

16.2 Changes to Personal guarantees

The chancellor has confirmed that lenders are now prohibited from requesting personal guarantees on loans up to £250,000. Further, for any loans of more than £250,000, personal guarantees will be limited to 20% of any amount outstanding on the CBILS lending after any other recoveries from business assets. The chancellor once again highlighted that a principal private residence cannot be taken as security to support a personal guarantee or as security for a CBILS backed facility.

This will allow businesses with annual turnover between £45m and £500m to access financial support of up to £25million.

16.3 New loan scheme for mid-sized companies

The chancellor in identifying a gap in support has introduced a ‘hybrid’ loan product to support those businesses who fall between the definition of small and large businesses with the new Coronavirus Large Business Interruption Loan Scheme (CLBILS), operated by the Bank of England. Under the scheme lenders can issue commercial interest rate loans of up to £25million to firms with annual turnovers of between £45m and £500m. The move is intended to encourage banks to extend credit to businesses with confidence, having the assurance that 80% of loans will be backed by the government. Further information about CLBILS is expected later this month.

The Chancellor will be meeting with bank chief executives next week to discuss operational pain points to ensure that as many businesses as possible can access to the schemes, as quickly as possible.

For details of how to apply for the scheme, and eligibility criteria is available on the British Business Bank website: <https://www.british-business-bank.co.uk/ourpartners/coronavirus-business-interruption-loan-scheme-cbils-2/for-businesses-and-advisors/>

17. Coronavirus Large Business Interruption Loan Scheme (CLBILS)

The Chancellor announced on 16th April that the Coronavirus Business Interruption Loan scheme is to be extended to large businesses.

From Monday 20th April, the Coronavirus Large Business Interruption Loan Scheme (CLBILS) will be extended to support:

-  Firms with a turnover of more than £45 million, who will be able to apply for up to £25 million of finance
-  Firms with a turnover of more than £250 million, who will be able to apply for up to £50 million of finance.

The move will now see businesses with turnover of more than £500 million, who were originally ineligible for support, able to apply for financial support under the scheme which as with CBILS, will be administered via accredited lenders.

As with CBILS, in order to provide comfort to lenders, the government will provide a guarantee of 80% on each loan.

Firm Size	Turnover <£45m	Turnover >£45m	Investment Grade
Coronavirus Business Interruption Loan Scheme (CBILS)	✓		
Coronavirus Large Business Interruption Loan Scheme (CLBILS)		✓	✓
Covid Corporate Financing Facility (CCFF)			✓

An illustration of loan schemes available

We anticipate further guidance on this matter and will of course keep you updated as soon as we have further information.

[The full government announcement can be read here.](#)

18. Coronavirus Job Retention Scheme

[Updated Coronavirus Job Retention Scheme – 3 April 2020](#)

The government has laid out unprecedented new measures to protect individuals and employments during the Coronavirus pandemic. Chancellor Rishi Sunak has announced historic, temporary measures to maintain jobs and the UK economy on top of announcements previously made.

The key measures announced are as follows:

-  New Coronavirus Job retention scheme for employers (businesses and charities), so that 80% of salaries are covered via HMRC grants with effect from 1 March 2020 for individual salaries of up to £2,500 per month
-  The grants service will initially last for three months. There is no limit on the amounts the government will provide to support jobs. The Chancellor appealed to employers to keep their workers on and use the grants, rather than laying them off.

18.1 When and how will this be available?

We strongly advise employers to take advice from their usual legal advisor prior to taking any action.

To access the scheme, employers will need to:

-  Designate affected employees as furloughed workers, and notify employees of this change
-  Changing the status of employees remains subject to existing employment law and, depending on the employment contract, may be subject to negotiation
-  Submit information to HMRC about the employees that have been furloughed and their earnings through a new online portal
-  HMRC will set out further details on the information required.

HMRC will reimburse 80% of furloughed workers wage costs, up to a cap of £2,500 per month. The department is setting up a new system for reimbursement, as existing systems are not set up to facilitate payments to employers.

18.2 Implications of the scheme

The full details of the scheme will not become available until passed into law and there will be teething problems when a plan of this scale is implemented at short notice. While we expect to see the scheme in operation by April, with backdated to 1 March 2020, a lot of questions remain unanswered:

-  How do employers calculate normal pay for hourly paid workers who are furloughed?
-  Can company directors be furloughed?
-  If workers have recently been made leavers can this be reversed, and will those employers still be entitled to the retention grant?
-  What data is required to be submitted to HMRC?
-  Will Payroll software require updating?

What are the mechanics for making the claim?

When legislation is published, and we have more clarity we will update you and work with you to figure out your business's best way forward.

18.3 What is meant by “Workers Wages Costs”?

While there is no legislation to check, our interpretation is that it is the value of salary before tax is deducted plus the value of employers national insurance and pension contributions.

At present, employers pay 13.8% national insurance on top of wages that exceed £719 a month and if there is a basic workplace pension scheme in place; a further 3% on earnings that fall between £512 and £4,167 a month.

Therefore, an employee with monthly earnings of £2,500 has a total wages costs of £2,805

Examples are as follows:

Hourly rate (£)	Hours per week	Pay per month (£)	ERs NIC (£)	ERs Pension (£)	Monthly wage costs (£)	80% Retention Grant (£)	Balance to fund if paying furloughed staff 100% (£)
8.21	16	569	0	0	569	455	114
8.21	40	1,423	97	27	1,548	1,238	310
12.50	40	2,167	200	50	2,416	1,933	483
14.42	40	2,500	246	60	2,806	2,244	561
16.00	40	2,774	284	68	3,125	2,500	625

18.4 How will HMRC police the scheme?

A condition of the scheme is that a worker who has been furloughed cannot work for the employer during the period they have been furloughed. This opens up other questions including:

-  How will the government ensure that the furloughed are not working?
-  How will the government test that the wage paid to a furloughed worker is a true reflection of their usual pay?
-  Will there be a change in the information reported to HMRC?

As always as soon as further information is known we will update our guidance.

18.5 Cashflow advice/Requesting Time to Pay:

Businesses should keep hold of as much cash for as long as they as they can. While normal payroll operations continue, the delay in payment of PAYE and National Insurance to HMRC is a logical step to give

your business an immediate cash benefit. However, you must speak to HMRC before withholding payment in order to agree terms

In order to access this facility, you must speak to HMRC first and be prepared to be on hold for a long time; Call HMRC on 0800 015 9559 and ask about Time to Pay Scheme

You will need your:

-  Business name and business address
-  PAYE Reference number*
-  Your 13 digit Accounts Office Reference number (sometimes called a collection reference)*
-  The amount you want to delay

The payroll reports that Mitchell Charlesworth Payroll Department send to our clients include a report entitled P32 Substitute. The pdf is called PAP32TOT. This report will contain the relevant references and the amount to be paid to HMRC.

Businesses that need short-term cash flow support, may benefit from the VAT and income tax deferral announced (see [here](#)) and may also be eligible to apply for a Coronavirus Business Interruption Loan (see [Coronavirus Business Interruption Loan Scheme \(CBILS\)](#)).

19. Updated Coronavirus Job Retention Scheme – 3 April 2020

[Updated Coronavirus Job Retention Scheme – 6 April 2020](#)

On 2nd April 2020 the Cabinet Office confirmed that the furlough scheme originally announced on 26th March will extend to IR35 workers in the public sector.

This will encompass all categories of Contingent Workers including:

-  PAYE
-  Umbrella
-  Personal Services Companies.

A reminder that the furlough scheme means that employees are entitled to 80% of their salary, up to a maximum of £2,500 per calendar month.

This is a complex area and we will update our guidance once we have reviewed the finer details. Our guidance on the matter can be read below.

27 March 2020

The government has provided further guidance for employers on how the Coronavirus Job Retention Scheme (CJRS) will operate, how much can be claimed and the eligibility criteria. The information below is based on facts as we know it and is subject to change.

19.1 Job Retention Scheme

-  CJRS for employers (businesses and charities), so that **80%** of salaries are covered via HMRC grants with effect from **1 March 2020** for individual salaries of up to **£2,500** per month
-  The grants service will initially last for three months. There is no limit on the amounts the government will provide to support jobs. The Chancellor appealed to employers to keep their workers on and use the grants, rather than laying them off
-  The government expects the scheme to be up and running by the end of April 2020.

How to access the Coronavirus Job Retention Scheme

To access the scheme, employers will need to:

-  Agree with relevant employees who will be furloughed, and notify employees of this change
-  Change the status of employees - this remains subject to existing employment law and, depending on the employment contract, may be subject to negotiation
-  Submit information to HMRC about the employees that have been furloughed and their earnings through a new online portal

19.2 How much will be reimbursed?

HMRC will reimburse 80% of furloughed workers usual monthly wage costs, up to a cap of £2,500 per month plus the associated Employer National Insurance contributions and minimum automatic enrolment employer pension contributions on that wage. Employers can use this scheme anytime during his period.

19.3 Who can claim?

Any UK organisation with employees can apply, including:

-  businesses
-  charities
-  recruitment agencies (agency workers paid through PAYE)
-  public authorities

The employer must have created and started a PAYE payroll scheme on or before 28 February 2020 and have a UK bank account.

19.4 Employees you can claim for

Any employee that is furloughed must have been on the employer's PAYE payroll on 28 February 2020, and can be on any type of contract, including:

-  full-time employees
-  part-time employees
-  employees on agency contracts
-  employees on flexible or zero-hour contracts

The scheme also covers employees who were made redundant since 28 February 2020, if they are reemployed by their former employer.

To be eligible the employee can not undertake work for the employer while furloughed. This includes providing services or generating revenue. While on furlough, the employee's wage will be subject to usual income tax and other deductions.

Employees hired after 28 February 2020 cannot be furloughed or claimed for in accordance with this scheme.

Employees on unpaid leave cannot be furloughed, unless they were placed on unpaid leave after 28 February.

19.5 Employees on Sick Leave, Cocooned, Volunteering or Training

Employees on sick leave or self-isolating should get Statutory Sick Pay, but can be furloughed after this.

Employees who are shielding in line with public health guidance can be placed on furlough

A furloughed employee can take part in volunteer work or training, if it does not provide services to or generate revenue for, or on behalf of their employer.

However, if workers are required to complete online training courses whilst furloughed, then they must be paid at least the NLW/NMW for the time spent training, even if this is more than the 80% of their wage that will be subsidised.

19.6 Employees on Family Leave

If an employee is eligible for Statutory Maternity Pay (SMP) or Maternity Allowance, the normal rules apply, and they are entitled to claim up to 39 weeks of statutory pay or allowance.

Employers are eligible to recover 92% of Statutory Maternity Pay / Adoption Pay (103% for small employers)

If you offer enhanced (earnings related) contractual pay to women on Maternity Leave, this is included as wage costs that you can claim through CJRS and the same principles apply where your employee qualifies for contractual adoption, paternity or shared parental pay.

19.7 How much can an employer claim?

Employers will receive a grant to cover the relevant furloughed workers wage costs as follows;

- the lower of either 80% of an employee's regular wage or £2,500 per month
- plus, the associated Employer National Insurance
- plus, Minimum Automatic Enrolment Employer pension contributions

At a minimum, employers must pay their employee the lower of 80% of their regular wage or £2,500 per month. An employer can choose to top up an employee's salary if they desire but it is not reclaimable under the CJRS grant, neither is any employer pension contribution that higher than the auto enrolment minimum.

Our interpretation gives the following examples* of what an employer could claim

Furlough Pay per month	ERs National Insurance	Minimum ERS Pension Contribution	Total Furlough Wage Cost	Retention Grant (Maximum £2,500 plus ERs NIC and ERs Min. Pension Contributions)
£569	0	0	£569	£569
£1,423	£97	£27	£1,548	£1,548
£2,500	£246	£60	£2,806	£2,806
£2,774	£284	£68	£3,125	£2,806 (Capped)
£3,467	£379	£88	£3,934	£2,806 (Capped)

*Based on Employers National Insurance is 13.8% of earnings over £719 a month and minimum automatic enrolment pension contributions of 3% of earnings between £512 and £4167 a month.

19.8 Full time and part time employees

For full time and part time salaried employees, the employee's actual salary before tax, as of 28 February should be used to calculate the 80%. Fees, commission and bonuses should not be included.

19.9 Employees whose pay varies

If an employee has been employed for a full twelve months prior to the claim, employers can claim for the higher of either:

-  the same month's earning from the previous year
-  average monthly earnings from the 2019-20 tax year

If the employee has been employed for less than a year, employers can claim for an average of their monthly earnings since they started work.

If the employee only started in February 2020, employers should use a pro-rata for their earnings so far to claim.

Once an employer has worked out how much of an employee's salary can be claimed for, they must then work out the amount of Employer National Insurance Contributions and minimum automatic enrolment employer pension contributions that they are entitled to claim.

19.10 Employer National Insurance and Pension Contributions

All employers remain liable for associated Employer National Insurance contributions and minimum automatic enrolment employer pension contributions on behalf of their furloughed employees

19.11 National Living Wage/National Minimum Wage

Individuals are only entitled to the National Living Wage (NLW)/National Minimum Wage (NMW) for the hours they are working.

Therefore, furloughed workers, who are not working, must be paid the lower of 80% of their salary, or £2,500 even if, based on their usual working hours, this would be below NLW/NMW.

Workers who are required to complete online training courses for instance whilst furloughed, must be paid at least the NLW/NMW for the time spent training, even if this is more than the 80% of their wage that will be subsidised by the government.

19.12 How to make a claim

Employers should discuss with their staff and make any changes to the employment contract by agreement. Employers may need to seek legal advice on the process. If sufficient numbers of staff are involved, it may be necessary to engage collective consultation processes to procure agreement to changes to terms of employment.

To claim, you will need:

-  your employer's PAYE reference number
-  the number of employees being furloughed
-  the claim period (start and end date)
-  amount claimed (per the minimum length of furloughing of 3 weeks)
-  employer bank account number and sort code
-  employer contact name
-  employer phone number

Employers will need to calculate the amount you are claiming.

HMRC will retain the right to retrospectively audit all aspects of your claim.

Employers can only submit one claim at least every 3 weeks, which is the minimum length an employee can be furloughed for. Claims can be backdated until the 1 March if applicable.

Once HMRC have received an employer's claim and you are eligible for the grant, HMRC will pay it via BACS payment to a UK bank account.

Employers should make their claim in accordance with actual payroll amounts at the point at which they run their payroll or in advance of an imminent payroll.

Employers must pay the employee all the grant they receive for their gross pay, no fees can be charged from the money that is granted. Employers can choose to top up the employee's salary, but they do not have to.

19.13 When will employers be able to make a claim?

The government expect the scheme to be up and running by the end of April. There is no mechanism for claiming CJRS before the scheme is up and running.

19.14 Summary

While this updated guidance (26th March 2020) has provided employers with more details of how the scheme will operate, it is likely that the earliest that grants will be paid to employers will not be until May 2020.

However, what is clear is that claims are not automated through the payroll system, and employers will be required to build claims around calculating national insurance and workplace pension contributions.

As the PAYE system requires regular submissions to HMRC each pay day, the government will already have details of those workers employed at 28 February and a record of their usual pay. This will give government a way of evaluating the accuracy of claims.

At this point, employers will require further detail around what to do with workers who have entered a salary sacrifice arrangement.

There will also be anxious company directors of micro businesses hoping for additional support from the government.

The full release is available at <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>

20. Updated Coronavirus Job Retention Scheme – 6 April 2020

[Updated Coronavirus Job Retention Scheme and Furlough Claims – 9 April 2020](#)

Further guidance was issued over the weekend concerning the Coronavirus Job Retention Scheme and furlough. We have highlighted the key points below:

-  Those who left their jobs after 28 February and their new positions have fallen through as a result of COVID can be re-hired by their old employer and furloughed
-  Those who were made redundant after 28 February as a result of COVID and before the new measures were introduced can be re-hired and furloughed
-  Those who were put on unpaid leave after 28 February as a result of COVID can be furloughed
-  Employees on sick leave cannot be furloughed until their period of sickness has come to an end and they return to work. Employees who are unable to return to work due to caring responsibilities (i.e. school closures) can be furloughed
-  Employees who are ‘shielding’ can be furloughed if they are unable to work from home and you would otherwise have to make them redundant. We do anticipate further guidance in this area.
-  Employees on fixed term contracts can be furloughed until the end of the contract period. If the employer wishes to renew the contract the furlough can still apply to the new term without breaking continuity of the original 3 month maximum term
-  **How much can be claimed for employees?** The lower of 80% of employee’s wage up to a maximum of £2,500 per month based on, the salary for full-time and part-time salaried employees as of 28 February 2020. For employees whose pay varies then where the employee has been employed for 12 months+, the employer can claim for either the higher of the same month’s earnings in the previous year or average monthly earnings for 19/20 tax year.
-  If the employee has been employed for less than 12 months employers can claim for 80% of their average monthly earnings since they started work
-  Where the employee only started in February 2020 employer should calculate pro-rata for their earnings to date, and claim 80%
-  **What is to be included in ‘wages’?** Any regular payments that employers are obliged to pay employees including wages, past overtime, fees and ‘compulsory’ commission payments.
-  **What is not included in the definition of ‘wages’** – fees, discretionary bonuses and commission payments (although see distinction above) cannot be included in a furlough claim.

-  **What about benefits in kind and salary sacrifice schemes?** HMRC's definition of 'salary' does not include the cost of non-monetary employee benefits including taxable BIKs, nor does it include benefits included through salary sacrifice schemes that would reduce an employee's taxable pay
-  **Can employees decide to withdraw from any salary sacrifice schemes?** Under normal circumstances, no, unless during a 'life event' (i.e. divorce, birth of a child etc). However HMRC have defined COVID-19 as a 'life event' meaning that employees can now be released from schemes in order to maximise their salary under furlough.
-  **Can apprentices be furloughed?** Yes, providing that their furloughed salary (including time taken for training, which under previous guidance, counts towards paid employment) does not take their salary to below national minimum wage (which were increased on 1 April 2020) in which case employers will need to top up wages to ensure that the appropriate minimum wage is paid for 100% of the training time.
-  **Can employers rotate employees on and off furlough?** Yes.
-  **Furloughing of Directors and Directors of Personal Service Companies (PSCs)** – HM Revenue & Customs confirmed that the Coronavirus Job Retention Scheme will also apply to all public sector workers, described as contingent workers, including those being paid through an umbrella or their own personal service company. Should the worker be unable to work from home or are unable to work due to sickness, self-isolation or the temporary closure of offices then they should continue to be paid the lower of 80% of their pay rate or £2,500 per month.

The worker will either need to have to complete a timesheet in the usual manner, or if they are being employed via an umbrella company, the supplier will have to raise an invoice but for the adjusted 80%. The director of the PSC operating in the public sector can not also be furloughed from their PSC. In addition, if the worker is claiming statutory sick pay, then the amount they will receive under the Job Retention Scheme will be adjusted accordingly.

We would refer you to our original guidance on the [Coronavirus Job Retention Scheme](#) and [furlough](#).

The government's full update can be read here: <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>.

21. Updated Coronavirus Job Retention Scheme and Furlough Claims – 9 April 2020

[Updated Coronavirus Job Retention Scheme – 15 April 2020](#)

The government's portal for claiming furlough grants under the Coronavirus Job Retention Scheme is expected to be ready to accept claims from 20th April.

21.1 How to claim via the portal:

Claims will not be made by phone, it will be an online only service.

Authorised agents who act on behalf of clients for PAYE matters will be able to claim on their behalf.

If you operate your own payroll, it is advised that you pull the necessary information together ahead of the service becoming active.

21.2 Information required to make a claim:

Whilst exact details have yet to be confirmed, HMRC's website says to make a claim the following is required:

-  Employer's ePAYE reference number
-  Number of employees being furloughed
-  Claim period (start and end date)
-  Amount claimed (per the minimum length of furloughing of 3 consecutive weeks)
-  Employer's bank account number and sort code
-  Contact name
-  Contact phone number

However, it is likely that the following information will also be needed for each furloughed employee in order to calculate the claim amount:

-  National Insurance number
-  Salary
-  National Insurance contributions
-  Pension contribution information

Therefore, there may be more to the claim process that HMRC have currently outlined. We refer you to our further update [here](#).

Unfortunately, there is no payroll software that can automate the gathering of this data. There are no predefined fields to mark-up which workers are furloughed, when furlough commenced or identify the furlough element of pay to HMRC. Equally, calculating the furlough amount may not be a straightforward calculation.

22. Updated Coronavirus Job Retention Scheme – 15 April 2020

The Government have today, 15th April 2020, announced further updates to the Coronavirus Job Retention Scheme.

The main changes include:

22.1 Change of Payroll date to 19 March 2020

Previously, any employee eligible to be furloughed must have been on the employer's PAYE payroll date on or before 28 February 2020. With the changes announced today, employers can now claim for furloughed employees that were employed and on their PAYE payroll on or before 19 March 2020. This means that the employee must have been notified to HMRC through an RTI submission notifying payment in respect of that employee on or before 19 March 2020, in other words, data must have been physically submitted to HMRC by 19 March.

22.2 Details of how to submit claim information

The Government have provided some information to allow employers to start to pull their claims together now prior to submitting them. Employers who are furloughing less than 100 employees will have to key each individual claim together with the required information, whereas employers who are furloughing in excess of 100 employees will be able to submit a spreadsheet in any of the following formats: .xls .xlsx .csv .ods. See below for information required when making a claim.

Details of the exact claiming mechanism is still awaited but the Government state they are still on course to be able to process claims from Monday 20 April 2020.

22.3 What information is required when making a claim

For the sake of completeness we have set out below what you will require when making your claim for furlough support:

-  your employer PAYE reference number
-  the number of employees being furloughed
-  National Insurance Numbers for the furloughed employees
-  Names of the furloughed employees
-  Payroll/employee number for the furloughed employees (optional)
-  your Self Assessment Unique Taxpayer Reference or Corporation Tax Unique Taxpayer Reference or Company Registration Number
-  the claim period (start and end date)
-  amount claimed (per the minimum length of furloughing of 3 consecutive weeks)
-  your bank account number and sort code
-  your contact name
-  your phone number

HMRC have specifically highlighted within their guidance that they are unable to discuss exact details of furlough claims with employees and instead, employers should aim to keep their employees as up to date as possible.

The Government's full guidance can be read [here](#).

23. Furlough period extended until the end of June 2020

The Chancellor has today (17 April) confirmed that the furlough scheme will now extend to the end of June 2020.

The scheme, announced last month as part of a package of measures to support business, was originally set to run from the 1st of March until the end of May. This has now been extended by one month in order to allow businesses to continue to support employees throughout the COVID-19 pandemic.

You can read the full Government announcement below:

<https://www.gov.uk/government/news/chancellor-extends-furlough-scheme-to-end-of-june>

24. Furloughing for Schools

In light of the COVID-19 pandemic, the DFE published its latest guidance late last week on the financial support for schools and associated establishments. This guidance follows on from the announcement that the Academies Budget Forecast Return Outturn (BFRO) will no longer be required this year.

The updated guidance tries to summarise in one place all the financial support measures available for the education sector, as well as clarifying some of the more detailed points that have been raised on certain areas such as furloughing and future funding.

24.1 What's Included:

A summary of the funding and financial support including:

-  The continuation of Government funded income from the DSG, including income filtered through third parties such as Local Authorities
-  Grants, Loans and Rates Relief for the private sector areas
-  Additional COVID-19 costs funding
-  Furloughing across the different sectors and areas.

Sector and specific guidance for:

-  Early Years - split between the private sector and that of schools/academies
-  Social Care providers
-  Supply and contingency workers
-  High needs funding
-  Higher education.

24.2 Our experts' comments/ a practical note

The updated DFE guidance comes as a welcome relief after much confusion on some of the financial support measures available for schools and academies, but sadly there remains many unhelpful barriers to obtaining this much needed income:

24.3 Furloughing For Schools

The initial general and HMRC guidance on furloughing stated that schools would be unlikely to make any claims under the furlough scheme due to their substantially 'funded-by-government nature'. This guidance was made extremely grey and confusing however, when the Department for Education seemed to contradict its own guidance by confirming funding for Early Year establishments was continuing yet they could also furlough their staff, where needed

Thankfully, this new and updated guidance has now addressed that conflicted information and clarified when, how and why a furlough claim would be relevant.

24.4 Method of Calculating any Furlough Claim

The new guidance has made the calculation somewhat convoluted and arguably most unhelpful. By having to pool all private income and compare it to the school's total income, this may give a disproportionate and somewhat low percentage of the maximum amount of payroll costs that can be reclaimed by furloughing staff.

24.5 A movable feast

It seems that every day brings new and more detailed guidance on the financial support available during COVID-19, bringing with it a huge amount of confusion and conflicting advice, which updates like this attempt to resolve. We're aware of some schools being advised that they can be in full receipt of their FEEE Income whilst furloughing all their staff, whereas others have been informed that their Local Authority will be withholding their High Needs funding. These conflicting instructions thankfully appear to have been addressed by this new guidance, but we suspect it will take some time for it to be digested and for the message to filter through to relevant parties.

The full guidance can be read here: <https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care#sector-specific-guidance>

24.6 A final note about Budget Forecast Return Outturn (BFRO)

As advised above, the BFRO is no longer required this year, meaning that the next budget return will be that of the Academies Budget Forecast Three Year (BFR3Y) for which the online form will be available to use from 23rd June 2020.

25. ESFA Issues a Covid-19 Letter to all Accounting Officers

Following on the latest DfE guidance published last week on Covid-19, the ESFA's Chief Executive, Eileen Milner, has followed this up with a letter to all Accounting Officers.

Contained within this letter is a useful link to all the data collections, services or requests usually required by the ESFA/DfE together with their current requirement status in the 2019-2020 year, as the department attempts to reduce the burden on Trusts; including:

-  The Budget forecast return outturn (BFRO) which is no longer required
-  Deferred decisions on the BFR3Y and clarification of those that will continue, such as approval for related party transactions.

The link to all the collections can be found [here](#).

25.1 What's also Included in the letter:

-  **Internal Scrutiny** – consideration of remote checks and the management of risk
-  **Submission of financial statements** – no deferral or changes to the submission dates for this and their associated key returns
-  **Intervention & regulatory notice** – a potential stay of execution for some trusts that may have received financial notices to improve & a reminder about the benefits of School Resource Management Advisers (SRMAs).
-  **Reference to Updated School Governance** – A reminder about the new DfE guidance document on governance under Covid-19 ([which can be found here](#)).
-  **Changes to spending patterns and recasting budgets** – planning for a return to normality
-  **ESFA Audit & Assurance Visits** – all new routine funding audits and financial management reviews to be paused
-  **Complaints** – Complaints about school's compliance with complaints and exclusions regulations to be paused.

25.2 Our experts' comments/a practical note

The letter is helpful in providing some reassurance to Accounting Officers that the department is aware and conscious of the impact that Covid-19 is having on schools and the ways in which they are trying to help ease the bureaucracy for Accounting Officers and their financial teams.

The specific comments concerning internal scrutiny is an interesting one. Their suggestion 'leaving it up to the board's discretion on whether remote checks are feasible' seems to imply that no scrutiny checks during this period could be an option however, this is more likely to infer to the need to adapt and possibly place great reliance on the Trust's controls and risk management procedures during these times.

We are also pleased to read that the department is acknowledging the need to be somewhat flexible with the regulations within the academy handbook. Whilst the letter goes to great lengths to ensure trusts don't move away from the requirements, it clearly gives some leeway to adjust some of their procedures in light of this unprecedented situation.

26. “Furlough” – Your Questions Answered

During the COVID-19 pandemic, the Mitchell Charlesworth Payroll Services team are currently receiving an extremely high volume of queries from employers who are broadly asking the same questions, which we seek to address here. However, the caveat applies that as there is very little by way of clear answers to some of the questions, and information should be verified by your employment lawyer or HR advisor before taking any action.

26.1 I have a worker who is not ill but has had to socially distance themselves under government guidance owing to an underlying medical condition and they cannot work from home. Are they to get Statutory Sick Pay?

SSP does not apply in this situation. A realistic option is to furlough the worker under the government’s coronavirus job retention scheme.

26.2 What does ‘furlough’ mean as defined by the Coronavirus Job Retention Scheme?

Furlough is an arrangement with a worker where you pay them without them having to work. The government will fund up to 80% of monthly wage costs (maximum £2,500) plus the associated Employer National Insurance and Employer Auto Enrolment Minimum Pension contribution for each worker. This will be in place for 3 months from 1st March 2020.

As a minimum, employers must pay their employee the lower of 80% of their regular wage or £2,500 per month. An employer can choose to top up an employee’s salary if they desire, but it is not reclaimable under the CJRS grant, neither is any employer pension contribution that is higher than the auto enrolment minimum. By way of explanation, when you pay a worker you incur other costs such as Employer’s National Insurance and potentially Employer Pension Contributions. The government’s reimbursement through the scheme appears to include these extra costs. Therefore, if you pay your worker £3,125 as furlough and claim back 80%; £2,500 you may still have a further 17% (say) to fund for employer’s national insurance and pension contributions.

Having this in mind, you may want to discuss or negotiate with a worker or group of workers the amount they are to be paid during furlough. As normal employment rights still apply, if undertaking this process with a group of 20 or more workers then you will have to enter a consultation process. It is imperative therefore that you take advice from your employment lawyer or HR advisor before taking any action.

26.3 I want to furlough a worker. Can Mitchell Charlesworth to do this for me?

You must determine which workers to furlough and write to them as outlined by ACAS <https://www.acas.org.uk/coronavirus/if-the-employer-needs-to-close-the-workplace> .

We do not have a template letter. You should instead obtain a template letter from your employment lawyer or HR advisor.

Once you have attended to the furloughing formalities above, (only where we look after your company payroll for you) you should then advise the Mitchell Charlesworth payroll team of the following:

Employee's Full Name (i.e. John smith) - Date Furlough Started (i.e. 1st April 2020) - Furlough Amount this month (i.e. £2,200)

26.4 I do not have sufficient cash to pay the furlough, what can I do?

Speak to your usual Mitchell Charlesworth partner to discuss your options and speak to your bank. Liquidity is very important, and the government have introduced a range of measure to help business of all sizes.

26.5 How do I claim furlough money back from the Government?

The government expect the scheme to be up and running by the end of April 2020. There is no mechanism for claiming CJRS before the scheme is up and running.

It will require employers to make a submission of data to a government portal. The first payments are expected late April/early May.

26.6 I pay staff hourly. How do I work out what a standard week is or what 80% is?

If an employee has been employed for a full 12 month period prior to the claim, employers can claim for the higher of either:

-  The same month's earnings from the previous year
-  Average monthly earnings from the 2019-20 tax year

If the employee has been employed for less than a year, employers can claim for an average of their monthly earnings since they started work.

If the employee only started in February 2020, employers should use a pro-rata for their earnings so far to claim. Again, we strongly recommend that you speak to an employment lawyer if you have any uncertainty around this.

26.7 What is Lay Off and statutory guarantee pay?

It refers to short term laying off of workers when there is no work. The employee is entitled to "guarantee pay" from the employer during lay off or short-time working. The maximum is £29 a day for 5 days in any 3-month period - so a maximum of £145. <https://www.gov.uk/lay-offs-short-timeworking>

However, Lay Offs entitles a worker to claim redundancy pay if they have been laid off without pay or put on short-time and receive less than half a week's pay for 4 or more weeks in a row or 6 or more weeks in a 13-week period.

Therefore, unless you are considering redundancies, lay offs may not be suited to your business.

Again, we strongly recommend that you speak to an employment lawyer before taking this course of action.

26.8 Can directors be furloughed?

Further guidance was released late last week to clarify who is eligible under the Coronavirus Job Retention Scheme and also how the monthly salary will be calculated. Crucially, it was confirmed that if a director receives a salary, then they could be furloughed and the amount they are paid subject to PAYE would be eligible under the scheme. It is only the salary amount that would be covered, it does not include bonuses or commissions. If the employee's salary has varied, then the employer can claim the higher of either the average based over the last twelve months, or the same salary paid last year. For completeness, any dividends paid from the company is not covered.

26.9 Can employees work when furloughed?

The government guidance to employees states: *"To qualify for this scheme, you should not undertake work for them while you are furloughed. This will allow your employer to claim a grant of up to 80% of your wage for all employment costs, up to a cap of £2,500 per month."*

26.10 A furloughed employee cannot undertake any work. But what happens if there is only one director who may also be the only employee, as is the case in many personal service companies?

There has been a lot of speculation over the weekend which seems to suggest that where the company has only one director, that the director can together with other employees be furloughed. Although under the scheme an employee is not permitted to carry out any work for the company, the **director** can still undertake their statutory duties.

At this stage, HM Revenue & Customs have not confirmed that this is the case, and we will update you as soon as further information is available.

27. Self Employed Income Support Scheme

Self employed workers will be able to apply for a grant worth 80% of their average monthly profits to assist self employed individuals whose business is adversely affected by the coronavirus pandemic, up to a maximum of £2,500 per month. The new “Self Employed Income Support Scheme” will be available in early June 2020. Points to note are as follows:

- 👉 Applicable self employed are entitled to receive the payment of a taxable grant worth 80% of their average monthly profits over the last 3 years, up to £2,500 per month (recipients of the grant will need to declare this on their 2020/2021 tax return)
- 👉 The grant will be backdated to 1 March 2020, and will be paid as a lump sum when made available in June 2020
- 👉 The scheme will be made available to self employed across the United Kingdom for at least 3 months, with the option to be extended for longer if necessary
- 👉 Grants will be available to claim whilst simultaneously continuing to trade (where appropriate to do so)
- 👉 Grants are available to self employed with trading profits of up to £50,000 p.a.
- 👉 Grants are available to self employed who have submitted a tax return for the financial period 2018/2019
- 👉 For those who have been trading for less than 3 years, the averaging is undertaken over that period of time
- 👉 The Chancellor has granted a concession to those who missed the tax return deadline of 31 January by allowing a further 4 weeks from 26th March 2020 to submit their 2018/2019 tax return, in order to be suitable for the Self Employed Income Support Scheme
- 👉 To clarify, if you only started trading during the current tax year, you do not qualify for the relief.

HMRC are currently putting the vehicle in place for the submission of applicable claims, such process will be made available no later than the beginning of June 2020. HMRC will contact those applicable directly, with a link to complete an online form, upon receipt of which, grants will be paid directly into claimant bank accounts. As soon as further information is available we will update this Guide.

To address the immediate concerns of the self employed in the intervening period, the Chancellor issued reminders of various other support measures available, including the Coronavirus Business Interruption Loan Scheme, the deferral of the self assessment tax return date of July 2020 to January 2021, and access to the Universal Credit system for the self employed.

27.1 When and how will this be available?

The scheme has yet to be launched. Further information and eligibility criteria can be found here:

<https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme>

28. Updated: Self Employed Income Support Scheme (SEISS)

Further guidance was issued today (Tuesday 14 April) concerning the Self Employment Income Support Scheme. We have highlighted the key points of the below:

28.1 What is the Self Employment Income Support Scheme ("SEISS")?

If you are self-employed this scheme will allow you to claim a taxable grant worth 80% of your trading profits up to a maximum of £2,500 a month. It will be available for 3 months but may be extended.

If you have other employment as a director or employee which is paid through PAYE, your employer may be able to get support using the Job Retention Scheme.

The grant will be subject to Income Tax and National Insurance contributions but does not need to be repaid.

If you receive the grant you can continue to work or take on other employment including voluntary work.

You can make a claim for Universal Credit while you wait for the grant, but any grant received will be treated as part of your self-employment income and may affect the amount of Universal Credit you get. Any Universal Credit claims for earlier periods will not be affected.

28.2 Who can claim?

You can claim if you're a self-employed individual or a member of a partnership and you:

-  have submitted your Self-Assessment tax return for the tax year 2018 to 2019
-  traded in the tax year 2019 to 2020
-  are trading when you apply, or would be except for coronavirus
-  intend to continue to trade in the tax year 2020 to 2021
-  have lost trading profits due to coronavirus

To be eligible then your trading profits must also be no more than £50,000 and be more than half of your total income for either:

-  the tax year 2018 to 2019
-  the average of the tax years 2016 to 2017, 2017 to 2018, and 2018 to 2019

You will also need to confirm to HMRC that your business has been adversely affected by coronavirus.

28.3 How will it be calculated?

HMRC will use the figures on your tax returns for your total trading income (turnover), then deduct any allowable business expenses and capital expenditure, including Capital Allowances.

When calculating your trading profits, they will not deduct:

- any losses carried forward from previous years
- your personal allowance

There has not yet been any clarification in relation to the position regarding losses carried back to previous years.

If you have more than one self-employed trade in the same tax year then HMRC will add together all profits and losses for all these trades to work out your trading profit.

If you traded for more than one year - to work out your average trading profit we will add together all profits and losses for all tax years you've had continuous trade.

However, if you have not submitted Self-Assessment tax returns for all 3 years HMRC will work out your average trading profit based on continuous periods of self-employment, which will be either:

- the tax years 2017 to 2018 and 2018 to 2019
- the tax year 2018 to 2019 only, even if you were self-employed in the tax year 2016 to 2017

Your total income is the total of all your:

- income from earnings
- trading profits
- property income
- dividends
- savings income
- pension income
- miscellaneous income (including taxable social security income)

You'll get a taxable grant based on your average trading profit over the relevant number of years.

The grant will be 80% of your average trading profit up to a maximum of £2,500 per month (whichever is lower), divided by 12 which will give a monthly amount.

Amendments to self-assessment tax returns - If you amend a submitted return after 26 March 2020 any changes will not be considered when working out your eligibility or amount of the grant.

Loans covered by the loan charge - if you're self-employed and have received payment that is covered by the loan charge, you may be able to claim the grant. However your eligibility and average trading profits will be based on either:

- the average of the tax years 2016 to 2017 and 2017 to 2018
- the tax year 2017 to 2018 if you were not self-employed in the tax year 2016 to 2017

You will not have to file your 2018 to 2019 Self-Assessment tax return by 23 April 2020. You should file by the 30 September 2020.

If you're a self-employed farmer claiming farmers' averaging relief - HMRC will use the amount of profit before the impact of the averaging claims to work out if you can claim the grant

28.4 How do I make a claim?

HMRC have confirmed they will aim to contact those affected by mid-May 2020 inviting them to make a claim, and are aiming to make payments by early June 2020. They will use the date on tax returns already submitted to identify those who are eligible.

The online service you'll use to claim is not available yet.

Please note that you will only be able to claim using the GOV.UK online service. If you receive texts, calls or emails claiming to be from HMRC, offering financial help or a tax refund and asking you to click on a link or to give personal information, it is a scam.

We would also refer you to our original guidance on the Self Employment Income Support Scheme.

The government's full update can be read here:

https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme?utm_source=cc80dcbf-d5cb-4bb8-b56f-7209f8f0ddda&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate#who-can-claim

29. Charities and COVID 19 Update

The Chancellor has this evening (8 April 2020) announced a package of financial support for frontline charities during the current coronavirus pandemic. In his speech, Rishi Sunak confirmed that charities across the UK will receive financial support to ensure their vital work can continue. £360m will be made available from government departments to charities, with the remaining £370 million being made available for smaller charities, coming via grant funding from the National Lottery Community Fund.

29.1 Which charities are eligible?

Tens of thousands of charities who provide vital key services and supporting the vulnerable will benefit from direct cash grants to support them during a period of increased demand as a result of Covid19, as well as continuing their day to day charitable support. This category includes:

-  Hospices, who support the NHS in providing beds, specialist clinician care and staff, who in turn will relieve pressure on the NHS
-  St John's Ambulance to support the NHS
-  Victims' charities, including domestic abuse, to help with potential increase in demand for charities providing these services
-  Charities supporting vulnerable children to allow them to continue delivering services on behalf of local authorities
-  Citizens Advice Bureau, to increase their staff who are providing valuable advice during this time.
-  Smaller and medium-sized charities will be able to make a claim from the National Lottery Community Fund

29.2 When will funds be available?

Further announcements are expected within the coming days whilst government departments prioritise recipient charities. The National Lottery Community Fund grants are also expected to be operational and available within a similar timeframe.

29.3 How can Charities claim?

Details of the claiming mechanism are yet to be announced.

Finally, the Chancellor also confirmed that the Government will match fund donations to funds raised by the National Emergencies Trust during the televised 'Big Night In', due to be aired on the BBC on 23 April, pledging at least £20m to the National Emergencies Trust appeal.

The finer details of the scheme will be made available in the coming days and we will of course keep you updated as soon as more information becomes available.

30. IR35 tax reforms suspended for one year

It was announced in the Commons on 1th March that the Off Payroll Working Rules (IR35) which were to be implemented in the private sector from 6 April 2020 will be delayed 12 months in response to the impact COVID-19 is having on the economy.

It is important to stress that this is a *delay* in the implementation rather than a cancellation and Steve Barclay confirmed in the Commons that the government remains committed to implementing these rules from 6 April 2021.

The delay to the implementation of IR35 in the private sector will delay the additional benefits that the engager could obtain where the contractors are involved in the R&D activities, as they will continue to be classed as subcontractors until they are included on the payroll.

Contractors who have been advised that they will be caught by these rules by their engagers should liaise with their engagers to determine their next steps.

Official Government announcement can be found here:

<https://www.gov.uk/government/news/off-payroll-working-rules-reforms-postponed-until-2021>

31. Changes to Corporate Insolvency Procedures

On Saturday 28 March the Business Secretary Alok Sharma announced changes to the insolvency regime in order to allow those UK companies weakened by the current pandemic to continue trading when faced with possible concerns over their solvency. The Business Secretary has temporarily suspended the Wrongful Trading provisions contained within S214 of the Insolvency Act. In suspending the provisions it is intended that companies will be able to maintain trading whilst continuing to purchase goods from their suppliers. The logic behind the approach is remove directors from the threat of legal actions for failing to discharge creditor liabilities as and when they fall due. Clearly every care should be taken when considering withholding payment from a supplier and in the absence of any form of guidelines to be followed, directors would be wise to consider that only where creditors have publicly stated that payments can be withheld, can nonpayment be taken as read. This would include, HMRC, Rents etc. In all other cases, Directors should negotiate and agree with suppliers the terms upon which goods are being bought and keep a record of such discussions.

The Wrongful Trading provisions will be suspended retrospectively from 1 March 2020 for a period of 3 months but may be suspended for longer if required.

As there is very little by way of supporting guidance or criteria for businesses available at this point, we advise businesses to operate with a degree of caution, having in mind that creditors will need to be repaid. At this point legislation has not yet been enacted to bring about these changes, with the Business Secretary stating it would be brought forward at the earliest opportunity. Parliament is currently in recess until 21 April 2020.

Existing legislation surrounding fraudulent trading and director disqualification remain in force as do the many sections of the Companies act regarding the expected behavior of Directors

We would encourage any directors with concerns about their company to contact us for advice at the earliest opportunity:

<https://www.mitchellcharlesworth.co.uk/contact-our-business-recovery-and-insolvency-team/>

32. Business insurance

32.1 Business Interruption Insurance

Irrespective of the chancellor's comments on 17 March, many businesses are unlikely to be covered as most business interruption insurance policies are dependent on damage to property, which will exclude pandemics.

Where a business interruption section of insurance is in operation, it may include cover for denial of access including infectious diseases. However, cover under these extensions will nearly always be based on a specified list of diseases and has been since the SARS outbreak in 2003. These policies exclude business interruption due to new and emerging diseases, like COVID-19. The current COVID-19 outbreak is therefore not covered under a significant majority of business interruption policies.

Many businesses will be wondering if they are covered for financial losses should they have to self-isolate, if health authorities order the closure of their business because of COVID-19, or if they are entitled to compensation for reduced customer activity.

It is important to check the business interruption wording on your policy and if you think you have a valid claim, this should be lodged with your insurance company's claims team.

Most property damage sections insure business contents including computers at the business premises only. We would recommend you check your policy to ensure items are covered away from the office if you are planning to work from home.

You can read the Government's guidance on business insurance after the chancellor's comments here: <https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses#insurance>

32.2 Business Insurance Frequently Asked Questions

 Some or all of my employees are working from home due to recent government guidance, will they be covered by my insurance policy?

If you currently purchase employer's liability cover for your business, this will extend to cover them while they are working from home during this period.

 My business and/or premises is closed or has become temporarily unoccupied. How does this impact my insurance policy?

Under normal circumstances, insurance policies will usually remain force for premises unoccupied for a period of 30 consecutive days. Where it looks likely this 30 day period will be exceeded, the policyholder would be required to inform their insurer, or they could invalidate the insurance provided by their policy.

Prior to the COVID-19 situation, provided that the insurer had been informed within 30 days, the insurance would remain valid, but it would be likely the insurer would reduce the cover level during the period of unoccupancy and possibly increase the premium.

During the current pandemic, we are seeing insurers making big efforts to support their policyholders by extending their definition of “unoccupied” or “empty” from 30 consecutive days to 60 days or longer. Provided you let us know if your building may be unoccupied for more than 30 days, we consider it is highly likely your own insurer will also be supportive. **You should contact us if this applies to you.** We will at this point check with your insurer if they have extended the unoccupancy period and we will then confirm this back to you.

In addition to the extending of the period of unoccupancy, we are also finding that provided we have let insurers know of a premises unoccupancy beyond 30 days, insurers are not reducing cover levels or charging an additional premium.

How can I secure my premises whilst unoccupied?

Needless to say, as soon as a building becomes unoccupied, it poses a much higher risk of damage/loss such as by water damage, arson or theft.

Many businesses will also be concerned about theft of their assets within a temporarily unoccupied building, with the current situation potentially leading to increased activity by opportunists or those who simply become desperate. Whilst insurers are likely to be supportive in providing unaltered cover levels for unoccupied buildings and your assets within during this period, this will likely be conditional upon their policyholders following some common sense risk management to protect the premises from a claim.

These may include:-

-  Checking perimeter fences and gates are in good state of repair and operational
-  Checking lighting and that any associated movement sensors are operational
-  Ensuring that all window and door locks and any security shutters are operational
-  Ensuring any CCTV is operational and maintained, including recording and any remote monitoring
-  Checking your Intruder Alarm is fully operational and maintained, including offsite remote monitoring. Any reduction in Police response or keyholder availability needs to be advised to your insurer immediately
-  All money to be removed from site including money in safes and deposited in the bank or bank night safe
-  Where possible any high value goods are to be removed from display and securely hidden away.
-  Where practical, turn off the gas, water and electricity supplies at the mains (except electricity needed to maintain any fire or intruder alarm systems, or water and heating systems for sprinklered Premises)
-  You or your representative should visit once every 7 days to physically check the premises and carry out immediately any work necessary to maintain the security of the premises in all respects. Bearing in mind any restriction in travel may not always make this possible
-  Remove all trade refuse and waste materials from the interior of the Premises, allowing no accumulation of refuse or waste in the adjoining yards or spaces used by you.

In the likely event you have other policy conditions applicable to your policy then these must still be adhered to in full. Examples may include an alarm condition or a minimum security condition.

We recommend you consider the above and document your security audit confirming you have done all you can to secure your premises.

Are we covered by our insurance policy if we take business contents or stock home?

The government are strongly encouraging us to work from home wherever possible. However, unless you have specifically agreed with your insurer that items temporarily removed from the business premises are insured, then you should assume they are not. Some policies may have built in Temporary Removal extensions. But where these are not present, insurers are still likely to agree they can extend cover for items temporarily removed from the premises, for example computer equipment used by office based staff who are now working from home.

However, we would advise you to let us know if you intend to move items outside the business premises so we can in turn check your specific policy coverage with your insurer. We would also advise you only move essential items away from the business premises.

Does my motor fleet insurance cover vehicle use for NHS volunteering?

We are aware that many of our clients will want to support people in their communities who are impacted by COVID-19, including the NHS Volunteer responder scheme. If you or one of your employees use their company vehicle for voluntary purposes (non-payment) to transport medicine or groceries to support others or for the activities of an NHS volunteer responder, subject to your permission that your vehicle can be used for this and any existing conditions (such as driving restrictions), your motor fleet insurance cover will not be affected.

Can we amend cover levels on our motor fleet insurance?

The first question you will need to ask yourself is whether this is possible or even advisable. If you lease a vehicle, it is highly unlikely that the lease company will allow you to insure for anything less than Comprehensive insurance level of cover. If you choose to lay up your vehicles, you should consider if there is still any risk of damage to them which would only be covered by a comprehensive insurance policy, or, if they are parked up at an employees home, is there a risk they may drive the vehicle anyway, despite being on a reduced cover basis. You will still be exposed to some risk so reducing cover levels, if possible, should never be done without a great deal of thought first.

In addition, most fleet insurers only offer comprehensive insurance cover, and it is still unclear whether they would be prepared to reduce the cover level or provide a return premium against the same if this was agreed.

Most businesses considering reduced cover levels will be doing so due to a concern about a monthly instalment payment. If this is a difficulty you may be facing, please refer to the finance provider guidance below.

 We may not be able to pay the monthly instalment, is there any assistance available?

The most important advice here is do **not** cancel the instalment facility or allow a payment to default as this will work against you. The insurer has likely been paid and the instalment facility set up is the method you have to repay the loan. It is a separate contract from the insurance. The advice is to speak to the loan provider directly who will look to support you.

Most loans to pay the insurance by instalments are arranged with either Close Brothers Premium Finance Ltd (CBPF) or Premium Credit Ltd (PCL). The few who have insurer own instalment facilities would need to specifically refer to the insurer. We have received supportive comments from Close Brothers and PCL as follows:-

Close Brothers Premium Finance Ltd (CBPF)

“We will look at these case by case but will be considering the following options:-

- *One month payment holiday*
- *The payment will be spread over the remaining instalments*
- *Where there are no instalments remaining, the last chance payment date will be extended by 30 days*
- *Default fee waived”*

Call CBPF on **0333 321 8566**

Premium Credit Ltd (PCL)

“We recognise that at this time, many customers will struggle to make payments. We are quickly reacting to the moving landscape in our approach to dealing with this. Customers can contact us at colls@pcl.co.uk or [0330 123 9717](tel:03301239717). Any requests for forbearance will be carefully considered on a case by case basis.”

We expect both CBPF and PCL to listen to your circumstances and offer suggestions how they can assist with your cash flow without incurring immediate penalty or jeopardising your insurance coverage. We as your insurance brokers are not able to discuss payment support with you – this has to be between you and your loan provider.

Please note during the current pandemic both insurers, finance providers as well as ourselves are receiving an unprecedented level of calls and messages, whilst simultaneously in some circumstances managing a reduced staff. In particular, we are finding that it is taking some time to reach the two main finance providers, however we strongly recommend that you persist with your efforts to reach them.

We will do whatever we can to assist Mitchell Charlesworth clients.

33. VAT considerations and cashflow planning for COVID-19

Businesses in many sectors are feeling the pressure of COVID-19 and the reduction of customers as a result of social distancing and isolation. We have seen some innovative responses from businesses which we have outlined below and the VAT considerations. We have also detailed some cashflow options available to businesses and what to do if you unable to make your VAT payments.

Gift vouchers

We have seen business offering discounted vouchers for purchase now that can be used at a later date to help businesses get much needed income at this difficult time. From a VAT perspective, there are two types of gift vouchers – single-purpose and multi-purpose. A single-purpose voucher is a voucher where the VAT rate of the product to be purchased is known at the time of issue (for example, a beauty salon where all services are standard rated). This type of voucher is subject to VAT when issued. A multi-purpose voucher is where the VAT rate is not known at the time of issue (for example, a shop that sells adult and children's clothing). This type of voucher is subject to VAT when redeemed. It is important to note that if the vouchers are sold at a discount, VAT is only due on the payment received, not on the face value of the voucher. Please get in touch if you need any guidance in this area.

Take-away services

With people being advised to avoid restaurants (and in light of the Prime Minister's announcements that restaurants and cafeterias should close as of 20th March 2020) some establishments are offering their food for take-away. The supply of hot take-away food is still subject to VAT at the standard rate as is considered catering. However, if businesses are providing any cold food (e.g. salads, bread, cakes) or food to be heated at home, these will likely qualify for the zero-rate of VAT. HMRC state that cold food to take away is not catering if the customer must prepare it themselves before it can be consumed (regardless of whether delivered or collected). Cooking, reheating or arranging food on serving plates is considered preparation. Not all cold food will be zero-rated and drinks are typically always standard-rated so please contact us if you need guidance on the different VAT rates.

General cash management options

- VAT grouping
 - If you have large intra-group charges, a VAT group will remove the associated VAT charge which could help with cashflow if businesses find that they are paying VAT to HMRC before the receiving entity is able to claim it. There are specific forms that need to be completed to apply for a VAT group and we can provide these if required.
- VAT return staggers
 - It may be beneficial to review the VAT periods you are currently using to see if there is one that would better suit your trading pattern. Additionally, if you are in a repayment position (because your purchases are higher than your sales), it may be beneficial to move to monthly VAT returns. If you would like any assistance with modelling this, please get in touch.

- Cash accounting
 - If your estimated taxable turnover is less than £1.35 million in the next 12 months, you can apply for cash accounting which means you will only have to pay HMRC when you receive payments from your customers rather than when you issue an invoice. This provides you with automatic bad debt relief.
- VAT reclaims
 - If a business has underclaimed VAT on purchases (for example, the most common is employee expenses), it can go back 4 years to correct the position and inject some much needed cash into the business. In some situations, it is possible to utilise alternative evidence if a VAT receipt is not held. We are happy to assist or advise what can be reclaimed.
- Accruals
 - Although many invoices are issued electronically now and are received quite quickly after issuing, if businesses are finding that invoices are being posted after the period has ended (and been closed) they should consider running a quick report just before submission to pick up any invoices that have been posted late but still relate to the VAT period.
- Tax Points
 - The tax point is when the VAT is due. There is a basic tax point (when goods are provided/service is performed) but this is overridden if payment is received or invoice issued prior to the basic tax point or an invoice is issued within 14 days of the basic tax point. Whilst businesses will be keen to raise their invoices to get payment, it could be possible to consider whether a payment request could be issued first, with the VAT invoice following. This could delay when VAT is actually due.

Time To Pay (VAT)

If businesses do find themselves in the position that they cannot pay their VAT bill, there is a dedicated COVID-19 helpline for businesses struggling to pay their tax liabilities. “Time To Pay” arrangements are on offer for businesses and individuals with a VAT liability. Additionally, arrangements can be obtained in relation to PAYE, Corporation Tax and Income tax liabilities. These arrangements are bespoke and consider your financial situation to allow you to spread the cost of your tax liabilities over a period of time. These can be negotiated by an agent and Mitchell Charlesworth is able to help if needed. See our ‘Time to Pay’ section.

VAT support

If you find yourself unable to prepare your VAT return or have any questions with the above initiatives or any other you are introducing to get your business through this unprecedented situation, please contact our VAT Partner, Alison Birch, (alison.birch@mitchellcharlesworth.co.uk or 0161 817 6100) who will be able to help.

34. Research & Development Tax Relief - a possible cashflow boost?

As well as the new measures announced by the chancellor at the Budget and in his press conference on 17 March, there are existing tax reliefs available that can assist a company's cashflow position during these challenging times. In particular, companies should be considering if they have undertaken activities that would be eligible for R&D Tax Relief. This could be worth up to 24.7p in additional tax relief for every £1 that is identified as R&D cost and can result in a tax refund being received from HMRC, especially where no R&D claim has been made previously by the company. Our experts in this field would be more than happy to assist in determining if you qualify for this tax relief. Please contact Phil Hartley for further information (phil.hartley@mitchellcharlesworth.co.uk / 0161 817 6100)

Where a business incurs a trading loss as a result of the COVID-19 uncertainty, it is possible for the business to carry this loss back against the previous year's profits. This provides a tax refund to the business which assists with the business's cash flow needs. To be able to make this claim, the year-end accounts will need to be prepared and be ready for submission and, therefore, it is important that the records are provided to the accounts team as soon as possible post year-end so the claim can be submitted.

34.1 When will this be available?

By way of example in terms of timeframes and deadlines, at the time of writing the earliest claim would be for companies with year ended 30 April 2018. The deadline for submitting a claim for qualifying R&D expenditure would be 30th April 2020.

34.2 How long will it take for HMRC to process my claim?

HMRC have recently stated that they aim to continue to process 95% of SME tax credit claims within their stated aim of 28 days from submission and they have implemented contingency measures to attempt to ensure this aim can be met. We will update you further of any changes to this timescale.

34.3 What if I have missed the deadline for submitting an R&D claim because I was suffering from Covid-19 symptoms?

HMRC have indicated that they will be sympathetic to those who were unable to submit a claim in these circumstances and have advised that the claim should be submitted as soon as possible. For example, if you missed the submission deadline for 31 March 2018 claims, which was 31 March 2020, then this claim should be made as soon as possible. This is not a guarantee that the claim will be accepted, but HMRC will at least consider the claim in accordance with their late submission rules.

34.4 Will my R&D tax credits be offset against other outstanding tax liabilities?

If the claim is made under the RDEC scheme then this will be the case as this is the process that has to be followed under the legislation. HMRC have indicated that they are considering this position when it comes to SME claims and they will update the position further in due course.

34.5 Will the Going Concern requirement impact my R&D claim?

HMRC have confirmed that they will assess the Going Concern requirement based on the information provided in the submitted accounts for the R&D periods being submitted rather than based on the current situation. Therefore, in the majority of circumstances, the Going Concern requirement should not impact a R&D claim for an earlier period.

34.6 Will any of the new Government schemes to support businesses be classed as State Aid and therefore potentially impact my ability to claim under the SME scheme?

HMRC has confirmed that the Coronavirus Business Interruption Loan Scheme (CBILS) is classed as notified state aid. Therefore if CBILS is received specifically for the company R&D expenditure rather than generally to support the business then this will impact the company ability to claim under the SME scheme.

35. Cash flow planning using cloud accounting

The COVID-19 outbreak is already having a significant financial impact on a number of sectors such as hospitality and leisure and this is set to expand further into other businesses, both in terms of supply chains and consumer demand.

Cash flow planning is therefore critical, and we recommend that all businesses consider the potential financial impact COVID-19 may have on their business and assess the resources they need to weather the storm.

For those of our clients who currently use Xero or Quickbooks Online we recommend that you consider the use of a cash flow forecasting add-on to start to assess “what-if” scenarios such as:

-  What if my supply chain is disrupted and I’m unable to supply some goods or services?
-  What if I experience a reduction in sales due to less demand arising from COVID-19?
-  What if my business is forced to temporarily close through government policy but I need to keep paying staff and other overheads?

It is best to have a worst case “what if” scenario in mind so that you can plan appropriately, looking at where the key pain points will be and what financial support can be put into place to try to reduce your risk. This may include contacting your bank, utilities providers and HMRC to request payments are deferred or seeking additional finance.

Two of the best cloud-based products which can assist with cash flow forecasting are Float and Fluidly. Both of these products link directly to Xero and Quickbooks Online to provide real-time data to enable accurate forecasting. Float is widely considered the best app to forecast cash flow levels day by day, although it is also able to provide a cash flow forecast on a monthly basis covering a longer period. Fluidly uses advanced Artificial Intelligence to predict future cash flow based on actual historic payment days for customers and suppliers to provide a starting point for a monthly forecast which can then be amended for different scenarios. For more information, please click on the links below:

<https://floatapp.com/>

<https://fluidly.com/>

For those of our clients who don’t use Xero or Quickbooks Online as their main accounting software, please contact your local office if you require assistance with cash flow forecasting or additional finance to sustain your business through the downturn. Our team of advisors is here to support your business through this period of uncertainty.

36. Support from UK Banks during COVID

Banks have also announced ways in which they will support businesses or individuals affected by the coronavirus outbreak.

36.1 Natwest

Natwest has outlined the initial support it will provide to SMEs across the UK, including committing £5bn to support small businesses with working capital finance. There will also be loan repayment holidays for small business borrowers and the provision of temporary emergency loans with no fees.

<https://www.business.natwest.com/business/support-centre/service-status/coronavirus/government-scheme.html>

36.2 RBS

RBS, which owns NatWest, said borrowers would be able to defer mortgage and loan repayments by up to three months if they are in financial difficulty as a result of COVID-19. They could also apply for an increased temporary credit card limit and may be able to request an increased debit card cash withdrawal. The bank also said it would waive early closure charges on fixed savings accounts and offer refunds on credit card cash advance fees. These measures will be assessed on a case-by-case basis.

36.3 Lloyds Banking Group

Lloyds Banking Group is providing £2bn of arrangement fee free finance to support small businesses up to £25m turnover in size. The finance is available to support ongoing cashflow needs, caused by interruptions to supply chains or due to high staff absences. It is available for 6 months on an 'as demanded' basis so will not run out. Priority will be given to those requiring urgent funding:

https://www.lloydsbank.com/business/coronavirus.html?WT.ac=lloyds-bb_and_sme-covid_19-support-banner-FOM-covid19

36.4 Barclays

Barclays stated that it is working with smaller business customers seen as being at-risk, with 12-month capital repayment holidays offered for SMEs with existing loans over £25,000.

<https://www.barclays.co.uk/business-banking/coronavirus/>

36.5 HSBC

HSBC has allocated £5 billion to help businesses in need of support and is proactively contacting its customers to see what help their businesses need. They have also announced a package of support measures for borrowers in financial difficulty as a result of COVID-19, including reduced or deferred mortgage repayments, a temporary increase in credit card and overdraft limits and early access to fixed-rate savings accounts without closure charges. Most recently they have announced a waiver of their £100 Small Business Loan fee.

<https://www.about.hsbc.co.uk/news-and-media/hsbc-uk-extends-financial-support-for-businesses-dealing-with-covid-19>

36.6 Santander

Santander said it would look at each customer's situation and explore ways to support them depending on their specific circumstances. The bank's support for customers includes the option to potentially defer or reduce repayments that are due.

<https://www.santander.co.uk/business>

36.7 The Co-Operative Bank

The Co-operative Bank is providing lending products such as overdrafts, loans or charge cards. It can look at temporary increases or requests to pause or reduce current payment obligations, and will take a flexible approach, based on individual circumstances. There are also offering no arrangement fees for overdraft or loan facilities provided as a result of COVID-19.

https://www.co-operativebank.co.uk/news/2020/coronavirus-support-sme-customers?int_cmp=srcosooother_prdserv_cmpphpcoronasm

36.8 Yorkshire Bank

Yorkshire Bank is urging its business customers to speak with their relationship manager, share the impacts of COVID-19 and discuss how they can help. The bank will continue to view funding requests favourably provided the underlying business remains sound, and can consider a range of options to help its business customers.

<https://secure.ybonline.co.uk/business/our-products/loans-and-finance/borrowing-facilities/business-loan/coronavirus-business-interruption-loan-scheme/>

A full list of accredited lenders can be found here:

<https://www.british-business-bank.co.uk/ourpartners/coronavirus-business-interruption-loan-scheme-cbils-2/current-accredited-lenders-and-partners/>

Trade body UK Finance said banks and other finance providers understand that some customers may be worried about the effect that contracting the coronavirus could have on their finances and asking for help early is key.

The Bank of England has also announced a range of measures designed to support banks and businesses. Measures include a drop in the interest base rate and a funding scheme to assist banks and building societies with their ability to make lending available to customers at an affordable level.

<https://www.bankofengland.co.uk/coronavirus>

37. Other support resources

37.1 UK government: guidance for employers, employees and businesses about COVID-19

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-covid-19>

37.2 UK government: number of COVID-19 cases and risk in the UK

<https://www.gov.uk/guidance/coronavirus-covid-19-information-for-the-public>

37.3 CBI: support for businesses impacted by COVID-19

<https://www.cbi.org.uk/articles/supporting-businesses-impacted-by-the-coronavirus/>

37.4 FSB: advice to small businesses and FSB members about COVID-19

<https://www.fsb.org.uk/campaign/covid19.html>

37.5 ACAS: Covid-19 advice for employers and employees

<https://www.acas.org.uk/coronavirus>

37.6 CIPD: How employers should respond to the COVID-19 threat

<https://www.cipd.co.uk/knowledge/fundamentals/emp-law/health-safety/coronavirus-factsheet>

38. Contact us

Please be assured that we are here to help and support you at all times throughout this unsettling period. Please do contact your engagement partner in the first instance, alternatively you can contact our other specialist partners and advisors by following the link below:

<https://www.mitchellcharlesworth.co.uk/about/the-mitchell-charlesworth-team/>



More than just your accountants

Mitchell Charlesworth can offer a complete financial solution for you and your organisation:

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