

Employees – Use of Own Devices?

“YouGov reports that over half of employees use their own mobiles, iPads & tablets for work-related tasks”

Employers of 40% of the above have no formal rules in place for “bring your own device”(BYOD), whilst there are obvious advantages to this practice it does raise some serious issues for data protection.

The main issue is confidentiality of data, as these devices are often accessed on un-encrypted WiFi networks in public places or on shared password networks which are not fully secure. Passwords, client and customer data can accidentally be disclosed to third parties. You as the employer will be liable for the breach. The Information Commissioner’s Office has issued the following guidance:- (1) How to find out if this is happening (2) the risks involved (3) what you can do about it.

For the full guidance go to

http://www.ico.org.uk/for_organisations/data_protection/topic_guides/online/byod

UK Corporation Tax System too Complex

“A House of Lords Committee has decided the UK Corp tax system isn’t working & is in need of urgent overhaul”

The report concludes that the current system fosters tax avoidance, is too complicated, is causing damage to the economy and is causing a breakdown in trust with regard to the tax system. The committee recommended that an urgent review needs to take place by HMRC in order improve transparency & fairness. It made the following recommendations:-

- (1) Tax advisers be subject to a regulation regime
- (2) Better monitoring of HMRC & a joint Parliamentary & Treasury committee
- (3) Large concerns be requires to disclose Corp tax returns
- (4) HMRC be given additional resources to monitor cross-border tax arrangements by Multinationals.

The committee recognised the disparity between large & small business tax burdens.

Company & Director fined for Failings

“A Bucks construction co. and its M.D. have been fined for multiple safety failings after 2 buildings collapsed”

The buildings on Fulham Rd, Westminster were reduced to rubble in Jan 2011 causing serious damage to nearby property.

Ethos Construction Solutions Ltd, High St, Chesham was fined £14,000 with £9,000 costs for six separate breaches of Construction (D&M) Regulations 2007 & one breach of Work at Heights Regulations 2005. Pritish Lad, The Avenue, Hatch End, Pinner was fined £9,500 with £6,750 costs for five breaches of Construction (D&M) Regulations 2007 & one breach of Work at Heights Regulations 2005.

For full details please go to:-

<http://www.hse.gov.uk/press/2013/rnn-ldn-ethos-construction-pritish-lad.htm?eban=govdel-press-release&cr=02-Aug-2013>

Misconduct – But it Wasn’t at Work!

“A recent tribunal case ruled that an employee could be sacked for punching a co-worker after a works party”

Brief Case Details: After a Christmas party in 2011 a no. of employees walked home together, an argument broke out between G and K in which D intervened and was subsequently punched by G causing serious injury. Having found out, the employer DBD initiated it’s disciplinary. DBD concluded that G had simply lashed out, G refused to apologise and laid the blame elsewhere. **DBD being a small employer** and mindful that of the major impact this situation could have on the work environment decided to dismiss G, give K a final written warning (he had thrown no punches & shown remorse) and take no action against D who had merely been a peacemaker. G appealed the decision, the appeal was dismissed. **At a tribunal** hearing for unfair dismissal brought by G, the upheld the employer decision on the grounds that the events had been **“sufficiently related”** i.e. no party no argument & ruled that the employer’s response had been reasonable given the likely impact on the business.

Over £3bn collected in Inheritance Tax

“The bill for Inheritance Tax (IT) in 2012/13 was over £3bn according to the Office for National Statistics (ONS)”

The yield of £3.1bn is a result of property price improvements and HMRC’s focus on collecting any taxes due. The record yield of £3.8bn arose in 2007/08. The decision to freeze thresholds at 2009 levels of £325,000 is believed to have contributed to better collections.

The ONS reports that in 2010-11 over £1/4 m estates went through probate (nearly half of deaths in that year) and over £15,000 gave rise to an IT liability.

After 2007/08 receipts fell with the introduction of the transferable nil rate band concession between spouses and civil partnerships. Watch out for our IT guide coming to our Business & Tax Zone soon!!

Tyre Services Company Fined for Breach

“A Somerset tyre services co. has been fined after a labourer was injured when his trousers became entangled in an unguarded lathe.”

David Humphries, 70, from Gillingham, sustained bruising and minor injuries to his right leg, arm and rear in the incident at Tyre Renewals Ltd in Castle Cary on 18/08/12. He sadly died shortly after as a result of a heart attack. The Court heard that Mr H was drilling a hole in a stock bar when his trouser leg became entangled in the rotating feed rod of the lathe. HSE found that the lathe did not have a guard fitted as standard by the manufacturer to protect users while the machine was in use. The company was fined £9,000 with £16,302 in costs for a single breach of the Provision and Use of Work Equipment Regulations 1998. Full details go to

<http://www.hse.gov.uk/press/2013/rnn-sw-tyre-renewals.htm?eban=govdel-press-release&cr=01-Aug-2013>