ATT welcome, February 2018

Welcomes

01 February 2018

A time to plan

Well here we are, another January deadline has passed. I hope it was as stress free as possible for our members who work in compliance.

For me, February is the time to plan my CPD for the year and I am pleased to see that the itinerary for the Spring Residential Conference at Queen's College Cambridge has been announced; an opportunity to get 'our little grey cells' working.

The conference presents a great chance for ATT members to listen to lectures by leading tax speakers and get involved in group working sessions. Some of the topical lectures to catch my eye, cover the gig economy, the pitfalls of using Personal Service Companies, how to get to grips with the residential nil rate band and cross-border VAT. The public were sort of introduced to some of these matters in the media last year and they are matters which will be topical in 2018 with Brexit, continued challenges to traditional forms of employment and the housing crisis in the South East.

In addition to the technical sessions there are two sessions connected with the running of our businesses – a session on how to protect yourself against PII claims, including what practical steps to take to prevent claims in the first place and what to do if a claim arises and client due diligence. Both are vital to anyone running their own practice as I do.

Before that, we have the annual Branches Conference at Warwick. Such is the churn of regular tax changes in the UK that these gatherings are important to our members who are involved with the branch network. It is an ideal time for us to share opinions and ideas. Until we are all replaced with Artificial Intelligence, as some speculate, the Branches Conference is an opportunity to be human and let off

a bit of steam among friends about the latest challenges to our work. There is also the chance for a bit of good old-fashioned human self-congratulation at having got through what seemed a breathless 12 months of fiscal and political action; who can blame us for that in this constantly changing world?

There are only weeks to go before the first Welsh taxes in almost 800 years – land transaction tax and landfill disposals tax - are introduced in that nation. Both taxes will be collected by the Welsh Revenue Authority when they are introduced in April. Taxpayers and their agents will need good quality guidance and reassurance that the collection process is efficient and secure. With the Scottish Budget in December we all need to be aware of the implications of devolution in the UK.

The ATT maintains that guidance from a tax authority should not be a substitute for drafting good law in the first place. Guidance should be there, where needed, to explain or elaborate HMRC's view of the law. At the ATT, we have found that guidance is significantly less effective when it attempts to both please tax practitioners AND non-tax specialists or unrepresented taxpayers. It would be better to have guidance written specifically for each of these two groups. The age old adage of 'you can't please all the people all of the time' springs to mind here.

When it comes to technical guidance which our members come across, it is vital that such guidance does not merely restate the legislation in different words; on the basis that our members will most often use technical guidance when they are trying to understand a provision where the text of the legislation is not self-explanatory. Guidance framed in those terms has little to offer them and there is also the risk that it ends up misleading, as some may be concerned that what is purely a restatement is intended to add something more. We like the use of examples, particularly those derived from actual experience.

We have long suggested that consultation with professional bodies such as ours on the possible consequences of significant changes to guidance would reduce wider damage by considering the implications before the new interpretation is published. As always, we are ready and willing to help the Government as there is no benefit for anyone from changes introduced without forethought into the implications.

I want to take the opportunity to personally welcome Nancy Cruickshanks and Senga Prior to ATT Council. Nancy obtained her ATT qualification in 1993 (as did I – seems like only yesterday!), and began volunteering her time for the ATT VAT Sub-Group in

2015. She represents the ATT at the EU VAT Forum as well as attending some of the JVCC meetings. Senga Prior became a member of ATT in 2002 and has recently been made a Fellow. She is a member of our Technical Steering Group and represents the ATT at the Scottish Devolved Taxes Collaborative and ICAS meetings with the Scottish Government.
Welcome to them both, and goodbye from me, for now.

Tracy Easman
Deputy President, ATT