Self-Employment Income Support Scheme and Coronavirus Job Retention Scheme: Professional Standards guidance

General Features

01 July 2021

We have published guidance to help members comply with their professional obligations when they advise clients who have made claims under the Self-Employment Income Support Scheme or the Coronavirus Job Retention Scheme.

Self-Employment Income Support Scheme (SEISS)

Agents were not able to make grant claims on behalf of their clients, although many agents will have helped their clients to understand their eligibility for the grants, and assisted them in making their claim.

Throughout the scheme, subjective judgements had to be made in considering eligibility, such as whether the business had been ‘adversely affected’ by coronavirus. Also, the eligibility criteria for the SEISS grants changed subtly from grants 1 and 2 (where the criteria were broadly the same) to grants 3 and 4 (which incorporated additional criteria to increase the focus of the scheme).

Whilst it is not necessary to apply hindsight in relation to claims, members have been concerned to ensure that they act appropriately, particularly when completing the 2020/21 self-assessment tax return, on which the first three SEISS grants must be reported. Accordingly, our guidance is intended to provide assistance in relation to the reporting of the first three SEISS grants, principally where you may be in disagreement with your client’s intentions or eligibility for the grant. The guidance has been reviewed by HMRC.

Coronavirus Job Retention Scheme (CJRS)

Earlier this year, we produced some guidance to help to illustrate what HMRC would consider to be errors in relation to CJRS claims, and the corrective action necessary. We also published some illustrative examples. The reason for publishing that guidance was because the CJRS has changed numerous times since its introduction, with many alterations to published guidance (and the underlying Treasury Directions). It was often unclear, therefore, whether a particular claim was correct, or at least a reasonable interpretation of the rules in force at the time. That guidance was reviewed by HMRC.

Further to the preparation of the SEISS guidance above, we have expanded the CJRS guidance so that it also provides assistance in relation to the reporting of the CJRS grants, again focusing on where you may be in disagreement with your client's intentions or eligibility for the grant.

Both sets of guidance are designed to provide outline principles rather than prescriptive rules. In line with all tax- related matters, it will be necessary to exercise professional judgement in individual cases.

The guidance can be found under 'Coronavirus related guidance' on the Professional Conduct in Relation to Taxation page in the Professional Standards section of the CIOT and ATT websites (tinyurl.com/3vu4aed7and www.att.org.uk/PCRT respectively). If you have any comments on the guidance, or further questions, please send them to standards@ciot.org.uk or standards@att.org.uk.