

FIDLER'S *news*

Newsletter for Staff, Clients and Business Friends of Fidler & Pepper

Summer 2008



Mark Slade receives award.

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PLUS MUCH MORE ...

Fidler & Pepper Receives International Award!

We have recently been awarded the prestigious International Standards Organisation 9001 following a rigorous assessment of our procedures and processes. The ISO 9001 is the recognised standard for the quality management of businesses.

Mark Slade, Managing Partner says "We are delighted to have been awarded this quality mark; this is really great news for the firm. It's a fantastic achievement as there are fewer than 200 law firms in the UK who have gained ISO 9001. Awards like this do not just happen and I would like to thank all staff who worked hard to ensure we received this standard.

We have also opted to be part of the annual re-assessment regime where we will continue to look for ways of improving our service, ensuring the highest possible standards of service to clients at all times".

The ISO 9001 standard is used by over half a million organisations in 159 countries and this award shows a clear demonstration of a commitment to quality, with the accreditation focusing on processes and customer satisfaction.

80 Station Street
Kirkby-in-Ashfield

No.1 Low Street
Sutton-in-Ashfield

20-22 Queen Street
Mansfield



Commercial Team adds New Services...

We have recently re-launched our Commercial Department to local businesses, adding two new services to its portfolio; Employment Law and Mediation. Our Commercial Department can also help your business with Debt Collection, Commercial Litigation, Tax Planning, Company Partnerships and formations, Bank Security, Licensing Law and Buying and Selling a Business.

Employment Law

Over recent years this has become a real nightmare! If you employ more than 5 people in your business then you really need to make sure that your contracts of employment are up to scratch. On top of that do you know what to do if you have problems with your staff? Taking the hard-line can often cost you more in the long run. Here at Fidler & Pepper we can help with your employment needs.

Fidler & Pepper can help you with:-

- Tailored employment policies for your business such as handbooks and other documents to match your business needs
- Health check of your staff management procedures and legal employment requirements.
- New business formations, employment procedures and legalisation
- Regular updates and training on new and changing legislation
- Day to day management of employment issues such as recruitment, dismissal, redundancies and disciplinary procedures
- Disputes and tribunals
- Compromise agreements

If you would like to give your business an employment Health Check then contact Jo Godson on 01623 451111 or jgodson@fidler.co.uk

Mediation

Many organisations are now using Mediation or Dispute Resolution as it is also known as a way of preventing conflict within the workplace and a way to resolve internal and external disputes. Mediation can improve working relationships and avoid high legal fees as well as the costs involved in lost time, productivity, distraction, and the personal cost of stress that conflict can cause.

Mediation can be quicker and significantly much more cost effective than any courtroom litigation and one of the key benefits is that mediation will often result in business relationships being maintained. It can be used to resolve a variety of civil and commercial disputes and even if settlement is not achieved, it will help concerned parties narrow the issues in dispute, speed up resolution and at least help make litigation faster and cheaper.

Russell Jones, Partner, and Accredited Mediator says "by using a Mediator, firms can severely cut costs of any litigation as this is a voluntary, non-binding, "without prejudice" method of resolving disputes. As a mediator specifically trained in settling disputes, I am an impartial neutral catalyst who can help the concerned parties to arrive at a mutually agreed solution. I do not decide or judge the case but help parties reach their own agreement"

Contact Russell Jones on 01623 451111 or rjones@fidler.co.uk

Commercial Property

Christie Limb, Partner, now heads up our Commercial Property Team here at Fidler & Pepper and is really pleased to be driving the department forward.

Christie says: "the commercial work has increased, not only by volume but especially in the area of property development; my move to the Commercial dept. is instrumental in driving the firm forward to becoming one of the leading commercial legal providers within the area".

Christie has also been joined by Kayleigh Last who brings a wealth of experience from the residential property market.

We offer services to business and individuals on all commercial property matters including:-

- Property purchases
- Property sales
- Drafting leases on behalf of the Landlord
- Negotiating and advising on leases on behalf of the tenant
- Rent reviews
- Assignments of leases
- Landlord issues

For more information contact Christie Limb on 01623 451111 or climb@fidler.co.uk



Get your injury claim in on time

If you feel you have cause to make a personal injury claim, don't wait too long before taking legal action. Under normal circumstances, it must be started within three years of the incident that gave rise to the claim or of its having an effect upon the claimant. One recent case highlights the possible complexities of this rule. A serviceman was partially deafened during a Ministry of Defence (MoD) exercise in 1993 – an injury which he immediately noticed and which was confirmed by tests in 1994.

It was not until 2004, however, that his condition had worsened sufficiently for his status to be formally downgraded, making him likely to be excluded from active service.

He commenced a claim in 2004 against the MoD, who argued unsuccessfully that it should be rejected for being out of time. At the Court of Appeal, however, it was decided that the man possessed all the facts he needed to know that his injury was serious in 1994, making his claim out of time.

If you believe you have grounds to make a personal injury claim, we are always available to help you decide if you have a case or not.

Contact Russell Jones on 01623 451111 or rjones@fidler.co.uk

Private Client



Protect your Nest Egg

It's one of those things we don't like to think about, but if you don't make a Will, you may leave a burden on your loved ones, with no say over what happens to your possessions. The need for a Will is not just governed by how wealthy you are. Most people are unaware of the value of their assets when you take into account the value of their home, car, savings and possessions, plus investments, pensions and policies.

Making a Will with a Solicitor gives you the peace of mind that your affairs will be looked after in a legal and professional manner.

Wills by Post

Many people put off making a Will but we have the answer so writing your Will couldn't be easier. At Fidler and Pepper we offer a postal Will Writing Service so you can make a Will in the comfort of your own home as we understand that your time is precious.

If, however, you prefer to discuss your requirements face to face, we also offer the more traditional Will Writing Service so you can make an appointment to see one of our specialist advisors. Wills start from £120.

Contact our Will Writing team on 01623 451111 or wills@fidler.co.uk

Avoiding Inheritance Tax

Inheritance Tax is paid on the transfer of assets, usually when they pass on death but certain types of lifetime gifts are also caught. It's possible to reduce, if not avoid Inheritance Tax completely, by carefully arranging the ownership of your assets and making tax efficient Wills.

The Inheritance Tax threshold is currently £312,000 and the tax is charged at a flat rate of 40% on anything over that amount, subject to certain exemptions and relief. These are prone to change year on year.

Tax Efficient Wills start from £500 for a pair, not bad when they can produce a saving of up to £120,000 for your family!

Cohabitees Rights

Within 15 years, it is believed that as many as one in three households will be made up of cohabitees, rather than married couples or civil partners.

Many people, however, are unaware of how few rights they have in the event of a break-up, with most of the rights that do exist being centred on the children of any relationship.

This situation is set to change. It is unlikely, however, that any of its recommendations will come into force before the end of 2008.

In the meantime, it is important that cohabiting couples understand what rights they do and do not have. Please call Zoe Wilson to discuss what steps you can take now to protect your position.

Contact Zoe Wilson on 01623 451111 or zwilson@fidler.co.uk

Introducing Lasting Powers of Attorney

Until last autumn, anyone concerned about losing their ability to manage their financial affairs, due to illness or other incapacity, could appoint a third party to do so under an Enduring Power of Attorney (EPA). It was a sensible precaution to take, meaning that your family or friends would not need to make an application to the Court of Protection should you lose your mental capacity.

Any EPA taken out before 1 October this year will continue to be valid. From 1 October 2007 the EPA has been replaced by Lasting Power of Attorney (LPA), which has the potential to be extended beyond dealing purely with financial affairs to cover personal welfare matters and decisions.

The new form of LPA is more complicated than the former EPA. If you did not make provision for an EPA prior to 1 October, contact our private client team to discuss the new options available to you through a LPA.

Contact the team on 01623 451111 or wills@fidler.co.uk

Do you or your business need a Notary Public?

Tony Slade, Consultant Solicitor at Fidler & Pepper has been a Notary Public for over 14 years. Notaries are required by organisations who work internationally to verify documents and even people.

The type of work Tony has been involved in includes administering oaths, verifying companies' Articles and Memorandum, authenticating the contents of documents and presenting bills of exchange for acceptance

and payment. For individuals, he has verified marriage certificates for couples who have married abroad, notarised powers of attorney for people who own or plan to buy property abroad, verified documents for foreign nationals gaining citizenship and given his seal of authenticity to exam papers for people hoping to emigrate.

Tony can be contacted on 01623 451111 or atslade@fidler.co.uk



It's all in the HIPs

Home Information Packs

If you are thinking of moving home we can not only provide your property conveyancing, but we can also provide your Home Information Pack.

All homes now need to request a Home Information Pack (HIP) before they can be marketed by an Estate Agent or an individual. Fidler & Pepper work closely with Hiphomes who are a national network of independent of Conveyancers with substantial experience in the residential property market. Hiphomes subscribe to the HIP Code, which provides protection for homebuyers, sellers, estate agents, conveyancers and mortgage lenders.

What is a HIP?

It's a pack about your house which should include a copy of the title deeds, local authority search and drainage search, and energy performance certificate (EPC).

If it's leasehold then it should also include a copy of the lease. Optionally it can also include the property information forms filled out by the seller, and a legal summary of the deeds.

**To get a quote or find out more information on Home Information Packs call
01623 451111**



Reducing the Tax Burden

Research from the Britannia Building Society has shown that nearly half the adults in the UK (48%) are not only paying too much tax, but are also failing to do anything about it.

According to group Chief Executive Neville Richardson, part of the issue is that people are not taking advantage of tax-free savings products, such as Individual Savings Account (ISAs). Neville says, "It's a shame that many of

those who are saving are unnecessarily being taxed twice – firstly on their income and then again on their savings. This means that 48% of adults are financially worse off by missing out on tax-free returns on their savings."

Reducing the tax we pay is about far more than simply investing in an ISA, although this can be an important element. The Britannia research is also conservative in comparison with other

studies – IFA Promotion has claimed that 80% of Britons are overpaying.

Tax-planning pays dividends for everybody. Please contact John Flynn to discuss effective ways of reducing your tax liability.

**Contact John Flynn on 01623 451111 or
jflynn@fidler.co.uk**

Compromise Agreements

If you have been offered a compromise agreement by your employer as part of redundancy, you may be asked to get independent legal advice on it. Fidler & Pepper can help.

We can advise employees and employers on compromise agreements and we can deal with your agreement quickly and efficiently, and we do not charge city centre fees. We will give you clear and honest advice and not use legal jargon when explaining everything to you. We can normally advise you straight away.

Most agreements are clear cut and we can deal with it within the costs offered to you by your employer towards your legal fees, so there is nothing for you to pay.

Call Russell Jones now on
01623 451111.

Frequently Asked Questions:

Compromise agreement, what is this?

This agreement is a contract you are asked to sign by your employer in which you agree not to bring any employment claims, usually in return for a payment of compensation, mainly in redundancy situations.

Do I really need a solicitor?

A compromise agreement is not binding under current employment legislation until you take advice on it from an independent adviser, usually an employment law solicitor. This is why you will need a solicitor

Will I have to pay towards the cost?

If the agreement is straightforward, we can normally advise you within the amount as offered to you by your employer as your employer should offer to contribute towards the fees. However, if there are more complicated issues, and you decide not to sign the agreement, you may need more detailed legal advice.

We did it again...

16 staff members braved the rain in June to run 5km around the Victoria Embankment for charity. The team entered the 2008 Race for Life raising much needed funds for Cancer Research.

Dawn Green managed to equal the previous year's record by crossing the finishing line in 26 minutes. Fidler & Pepper will be part funding monies raised. If anyone would like to donate to the teams funds you can donate online at www.raceforlifesporsome.org/fidler



Above (clockwise): Helen Allwood, Wendy Waker, Dawn Green, Rebecca Brough, Carolyn Parker and Melissa Sobo.

General Info

If you know someone who would like to be on our mailing list or if you don't want to receive Fidler's News please contact us using the freepost address, or email msobo@fidler.co.uk with the subject "Newsletter Remove". Fidler's News is for general information only - you should always seek advice from a solicitor.

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