

SPRING 2017

# KNEWS

ALL THE LATEST NEWS AND EVENTS FROM KERSEYS SOLICITORS



## The benefits and risks of employing a family member



Employing a family member can have many benefits; for starters, you share the same goals and ambitions.

A family member should also understand the family's future can be affected by the success of the business. But if business takes a turn for the worse, it can put relations and finances under strain.

It is important to recognise that anyone working in your business, including family members, can be an employee – even if that was not your intention. Shareholders and directors are not exempt.

All employees will have certain rights, such as sick pay, paid time off for ante-natal care and an itemised pay statement. They also have the right to a redundancy pay out and could claim unfair dismissal should the possibility arise.

Adrian Green, an employment law solicitor with over 14 years in the field, will give a talk at Kerseys free seminar. He will look at when an employment contract exists and the legal requirements which follow.

Adrian, who deals with a range of employment issues, from grievances to disciplinary action, said: "You don't need to have intended there to be an employment contract for one to exist. In fact, it may be determined that one exists even where the parties have actually tried to avoid having one."

He will also look at avoiding potential pitfalls in employment, including dismissals and claims of unfair dismissal within a family business.

You can contact Adrian about any employment law matter that you may have on **01473 407121** or at [adrian.green@kerseys.co.uk](mailto:adrian.green@kerseys.co.uk)

## Help prevent fall-outs in your family and finances

A family business may include a married or cohabiting couple, or parents and children. Each type will have its own legal issues to consider.

Just as disputes may arise at home, sometimes personal relations can run into difficulty at work.

The best way to avoid ownership-related conflict in family business and to save money in the long-run is to seek legal advice at the start-up stage or at appropriate points of development.

It is never too late to get the necessary legal infrastructure in place. If there is a clear agreement between the relevant parties, in a signed legal document, then uncertainty is removed. This can help prevent both family and financial fall-out in the future.

Clare Thomas, who heads the Family Law Department and is a partner at Kerseys, will give a talk about putting appropriate agreements in place. This will include:

- The difference between marriage and cohabitation when it comes to assets claims
- Preparing the relevant paperwork – from prenuptials to declarations of trust
- How to achieve certainty
- Dealing with relationship breakdowns – from a sole trader to a limited company.

You can contact Clare about any family law matter that you may have on **01473 407149** or at [clare.thomas@kerseys.co.uk](mailto:clare.thomas@kerseys.co.uk)



## Kerseys Seminars

### BUSINESS, FAMILY AND THE NEXT GENERATION

Kerseys Solicitors will be holding **FREE Seminars** to look at ways to protect your interests in an owner-managed business

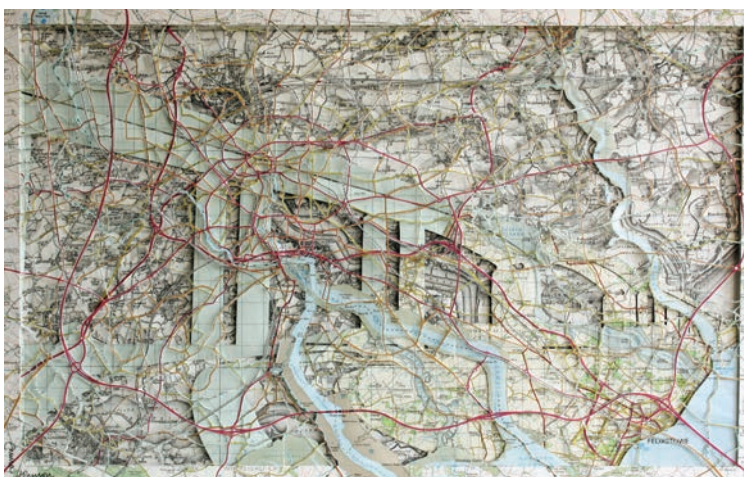
The events will be run in Ipswich and Colchester next month, with talks from senior solicitors from the employment, family, private client and commercial departments.

The family business seminars will be held in Colchester on April 25 and then in Ipswich on May 10. For more information, see back page.

Are there any legal concerns you would like covered? Let us know and email your suggestions to [info@kerseys.co.uk](mailto:info@kerseys.co.uk)

# KERSEYS SUPPORT THE ARTS

*Kerseys Solicitors has long supported the arts in Ipswich – hosting, sponsoring and promoting a variety of events.*



The firm has worked in collaboration with a number of organisations, including the Festival of the Beats, Subterranean Arts, Pop My Mind, Ipswich Jazz Festival and the Freudian Sheep.

Kerseys has hosted exhibitions at their headquarters in in Lloyds Avenue, including the most recent 'Ipswich Interpretations' – showcasing landmarks in the town.

Their involvement is spurred on by an interest in art, the town and some similarities with the field of law.

## Parallel with art and law

Anthony Wooding, Kerseys managing partner and an exhibited artist, said: "Kerseys is a big supporter of the arts in Ipswich due to our interest in artwork and the community. We believe there are some parallels with art and law – as both involve often starting from a blank canvas and thinking creatively to get results.

"The art scene in Ipswich involves several galleries and online groups of artists, creating innovative work. The work is then promoted both locally and beyond."

Kerseys has helped to promote art events through various channels, as well as providing financial support.

## The Freudian Sheep gallery continues showing artwork thanks to Kerseys

The Freudian Sheep, run by Ian Moss, has closed its gallery but is able to continue showing artwork thanks to longstanding support from Kerseys.

The firm will host its latest exhibition, Ipswich Interpretations, until summer 2017 at its headquarters in Lloyds Avenue while the couple look for a long term solution.

The theme, thought up by Anthony, will showcase artists' impressions of points of interest in Ipswich. It has featured Jenny George's popular 'The Wine Rack' painting, which is a quirky take on the now well-known local landmark. The painting has sold for £2,500 – a record amount for the firm's exhibitions.

It will also be joined by George's illustration of the now defunct Odeon Cinema – portrayed it as if it were in a 1930s heyday.

Curator and artist Ian Moss said: "I've always found Kerseys' staff to be very accommodating, kind, interested and helpful. Kerseys are to be congratulated on all that they have done with and for visual art in and around Ipswich. For instance, by working with The Freudian Sheep Artists, they are supporting professional artists from throughout the region in their quest to survive and thrive."

The firm has supported The Freudian Sheep since its opening in December 2013. The firm has helped fund and publicise their exhibitions. It has included work by the artist-led collective DIG!, twice held at Kerseys' offices.

Kerseys has also twice hosted their 'Art in Business' exhibitions, which are designed to bring art from the area to the workplace.

Ian added: "The artists get their work seen by a wider range of people and thus stand more chance of making sales.

## Pop My Mind – online exhibition encourages buyers

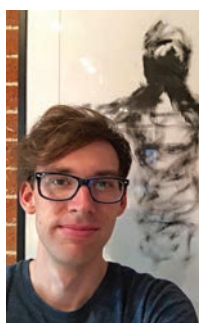
Kerseys was also among several organisations to sponsor the Pop My Mind (PMM) exhibition, which marked its first birthday. The event (from July 23 to 24) was based on work from the group's online platform.

The movement saw one artist upload their work, such as a drum beat, the first lines of a story, a minimalist sketch or short video sequence, to which other artists respond in whichever medium they wish – known as 'popping'.

Oliver Squirrell, a musician and photographer, set up the online platform for painters, film-makers, musicians, poets and creative artists.

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He said: "Kersey's has supported Pop My Mind hugely by sponsoring and enabling events like our first birthday exhibition. Anthony Wooding has also personally supported PMM by giving advice. His enthusiasm and Kersey's willingness to support the arts is really an asset to the Suffolk art scene."

Works from PMM and their exhibitions feature on Kerseys' website. Anthony said: "If people are using our conveyancing services, in particular, we thought it would be a great time to buy a new work to decorate their new home."

#### Paul Fisk says "Kerseys saved our bacon"

Kerseys has twice sponsored Festival of the Beats, a literary, art and music festival celebrating the Beat Generation.

Organiser Paul Fisk said: "Kerseys saved our bacon when funding fell through – paying a third towards our fees. They also helped to promote the event and it was a great success. It's thanks to Kerseys that we had some big headliners and so many people got involved."

"Anthony also performed on stage. I think it's very honourable that a law firm like Kerseys is supporting an alternative arts festival."

Paul Fisk is also behind Subterranean Arts, in St Peter's Street, which aims to give lesser known artists the recognition they deserve. There is an ongoing exhibition of work by local and international artists as well as an array of artist's portfolios, many who exclusively exhibit with the gallery.



Paul added: "Kerseys have also backed the gallery and Anthony is a regular visitor."

#### Ipswich Jazz Festival – Kerseys' support has been 'invaluable'

Kerseys has sponsored Ipswich Jazz Festival, with its range of artistes and workshops, for two years running. Organiser Neil Bateman said their support has been invaluable. He said: "It's good to see a local business supporting local community

activities. I applaud Kerseys for showing commitment to the arts locally. We are not a commercial venture, but a community activity, and Kerseys' support has been invaluable. They have helped to cover our costs and give the event more credibility. In return, I believe it has helped to raise their profile and further build their reputation."

#### 'Private arts events' calendar

Kerseys has also set up a 'private arts events' calendar, so arts organisers can avoid clashing with each other and co-ordinate more together.

Anthony said: "We are now much more sophisticated with our exhibitions. We attract a wider range of artists and a greater number of visitors as we are more established in the art world now."

Kerseys will host the Freudian Sheep's latest exhibition, 'Ipswich Interpretations', until June 8, 2017. It will showcase artists' impressions of points of interest in the town.

For more information, please contact Karen Williams on [karen.williams@kerseys.co.uk](mailto:karen.williams@kerseys.co.uk) or call 01473 213311. Alternatively, visit [www.kerseys.co.uk](http://www.kerseys.co.uk) For more information about Freudian Sheep, visit [www.freudiansheep.co.uk](http://www.freudiansheep.co.uk) or [www.facebook.com/freudiansheepartists](https://www.facebook.com/freudiansheepartists)

To see Kerseys' latest videos and for advice on various legal matters, visit [www.youtube.com/user/KerseysMediaTV](https://www.youtube.com/user/KerseysMediaTV)

## Kerseys Seminars

### COLCHESTER SEMINAR

25 April 2017 4:30pm – 7pm

The Enterprise Suite  
Colchester United Football Club  
The Weston Homes Community Stadium  
United Way, Colchester  
Essex CO4 5UP

RSVP by 11th April 2017 via Eventbrite:  
[bit.ly/kerseyscolchesterseminar](http://bit.ly/kerseyscolchesterseminar)

### IPSWICH SEMINAR

10 May 2017 4:30pm – 7pm

The Ipswich and Suffolk Club  
Archdeacons House  
Northgate Street  
Ipswich  
Suffolk IP1 3BX

RSVP by 25th April 2017 via Eventbrite:  
[bit.ly/kerseysipswichseminar](http://bit.ly/kerseysipswichseminar)

Alternatively RSVP by email to [lynne.mitchell@kerseys.co.uk](mailto:lynne.mitchell@kerseys.co.uk) or telephone **01473 407127** confirming which Seminar you wish to attend.

## Where there's a will – there may be succession



Research shows that only about one-third of family businesses successfully make the transition from first generation to second.

To help ensure your business does not flounder after the founder, it is worth putting arrangements in place.

It is not only death, but disability or retirement, which can impact on a company's success – or succession. It is important to protect your business assets during your lifetime, so that your business may live on.

Leila Murray, who is a partner in the private client department, specialises in Wills, Powers of Attorney and Estate Administration.

In her talk she will look at the following:

- Sole Traders
- Partnerships
- Limited Companies
- Inheritance Tax planning and Business Property Relief
- Property and Financial Affairs Lasting Powers of Attorney ('LPA') for Business Owners
- What happens if you lose mental capacity and do not have an LPA?

## Planning for the future of the business

Most business owners are so busy with the day-to-day running of their company that they end up putting their long-term visions to one side.

But it is vital to plan for the future – be it taking more people on, planning to pass on ownership or to sell the business.

The idea of 'letting go' may be difficult for some owners, but it can be a smoother transition with advance preparation.

Dealing with potential legal issues in advance can also remove the risk of conflict.

Corporate finance and commercial lawyer Adrian Chaffey will look at steps to make a business more secure and sellable – from putting relevant contracts in place to maintaining records.

Adrian, who specialises in shareholder and partnership arrangements and buying and selling companies, will look at the following during his talk:

- Contracts – from employers, to suppliers, to customers
- Bringing new people into a family business
- The risks and benefits of offering shares in the business
- Preparing for sale

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