**Outline information and examples re IR35 Guidance**

An IR35 assessment is based on a series of around 35 questions which is then evaluated to give IR35 status in relation to the work you are undertaking. The decision is then made as to whether you are Inside scope or Outside Scope of IR35

The decision can be appealed. There are serious implications regarding HMRC and tax avoidance for anyone found to be giving false information.

Please see:

<https://www.gov.uk/government/publications/off-payroll-working-rules-communication-resources/know-the-facts-for-contractors-off-payroll-working-rules-ir35>

For an accessible assessment for hirers and workers

[Check employment status for tax - GOV.UK (www.gov.uk)](https://www.gov.uk/guidance/check-employment-status-for-tax)

Shown below are some of the key factors of the Status Determination Statement report and the key indicators.

* Your engagement has a clearly defined end date. This is helpful in respects to IR35 as it suggests you have been engaged for a specific project and/or period of time. This would point towards a lack of mutuality of obligation between the parties.
* You have a genuine right to provide a substitute which is crucial with regard to IR35 as it is one of the most important tests used by HMRC in determining IR35 status and demonstrates that it is your business that has been engaged to provide services rather than a specific individual.
* Your business would pay any substitute provided. Any substitute engaged by your business must be paid by your business for such a right to be viewed as genuine by HMRC.
* You are not subject to ongoing monitoring or supervision which is a strong indicator to self-employment.
* The end client does not have any employees who can undertake the services your business has been engaged to provide, which demonstrates that your business has been engaged for specialist services.
* Your client is under no obligation to provide you with further work once the contract has ended. This demonstrates lack of mutuality of obligation.
* You are able to decline additional work which is not included in your scope of services. This is an indication of a lack of mutuality of obligation and is more akin to genuine self-employment
* Being able to terminate the contract early is positive and demonstrates a lack of mutuality of obligation in that you are able to walk away from the contract at any time.
* You would correct defective work at your own cost and in your own time which shows that you are taking a financial risk which is a pointer towards genuine self-employment.
* You hold business insurances which is a good indicator of being in business on your own account and also demonstrates that you are exposed to a financial risk.

Please note that this information is for guidance only and should you need specialist advice it is advisable to speak to your accountant or a qualified tax specialist to clarify

Thank you