

Summer 09

law bites.

Seminars

Forthcoming Event

If you plan to sell your practice within the next five years, then plan to attend this seminar

The transition from practice owner requires preparation and planning - are you confident you know all the bases that need covering?

Join our team of five leading specialist dental providers to discover how to plan a successful exit strategy and achieve your desired lifestyle.

We will be hosting two Exit Day Seminars:

one on **Friday 3rd July** at the **Charing Cross Hotel** which over looks Trafalgar Square in Central London or **Friday 10th July** at the **Wessex Dental Centre in Fareham**.

The cost for the day is only £113.85 (inclusive of VAT) per delegate and includes course notes, refreshments and lunch.

For more information please contact dental@howell-jones.com or call 01483 540545.



Recession bashing

In the current economic environment we are all looking at increasing the profitability of our business. Taking a marketing audit of your business may reveal areas that could be improved. Listed below are a number of questions which may help you consider your marketing strategy and how best you can implement it

- What are the demographics of your patient base?
- Are you attracting the type of patient you want?
- Are you satisfied with the level of revenue you currently generate?
- Do you want to increase your level of patients or provide more services?
- How would you like to develop your services over the next twelve months?
- How do you communicate with your patients?
- How do you market your services?
- Do you have a website? It can promote your services, the products you sell and provide useful information for your current and potential patients.

Property



Are you contemplating renewing the lease of your surgery premises?

Are you aware of the following traps and pitfalls?

- A right to automatic renewal is only available if you have a protected lease
- Have you taken the necessary steps to safeguard your right of renewal?
- Your landlord can refuse you a new lease if for example he wants the premises back for his own use.

- If you are intending not to renew the lease it can only be brought to an end by giving notice, otherwise you will remain liable for the rent.

For further advice please contact Chris Pomfret on 01483 540546 or email him at chris.pomfret@howell-jones.com



Quality delivered as standard

We value you as a client and aim to deliver a first class service at all times. To help us achieve this we have compiled this list of service standards which we will endeavour to meet at all times.

- We will act with integrity, honesty and openness in everything we do for you and will respect absolutely the confidentiality of our working relationship.
- A specific member of our staff will be responsible for your work at all times and available to answer your queries whenever possible.
- A partner or consultant of this firm will have overall responsibility for your file and may be contacted should you have a query which cannot be satisfied by the member of staff handling your case.
- We will endeavour to deal with your communications promptly and courteously. We will strive to meet agreed deadlines, or advise you well in advance if there are reasons.
- We will seek to deal with your matter in the most cost effective way, whilst maintaining our commitment to quality.

Employment

Did you know the government has decided to revoke the statutory procedures for dismissals that occur after 6 April 2009? However, employers would be mistaken in thinking that this will give them carte blanche when dealing with employees.

The statutory grievance procedures will continue to apply to dismissals where the disciplinary procedure started before 6 April 2009.

Furthermore the new regime, which replaces the previous system, still requires employers to follow a fair and reasonable procedure when dismissing or disciplining employees. In considering this question the Employment Tribunal will expect the employer to have followed the new ACAS Code of Conduct and any contractual obligations.

This Code of Conduct is arguably more flexible than the old statutory procedure, but to a large extent sets out the same fundamental requirements of a fair procedure.

A failure to follow these steps is still likely to result in an unfair dismissal, even if the underlying reason for the dismissal is a potentially fair one, such as misconduct, capability or redundancy. Indeed Tribunals will have the power to increase compensatory awards by up to 25% if an employer has unreasonably failed to follow the Code of Conduct.

Conclusion

Even though the procedural requirements may have been loosened a little, employers must still be aware of the requirements of a fair procedure. No one wants to end up in an Employment Tribunal and investing in professional advice as soon as the possibility of disciplinary action or dismissal arises can save time, money and heartache in the long run.

It will be many months before cases decided under the new regime start to be reported and therefore employers should err on the side of caution for the time being.

If you have any queries regarding employment law please contact Richard Brown of Howell-Jones LLP either by telephone on 01483 302000 or by email richard.brown@howell-jones.com.

Family

As the property market may be heading towards its lowest level you may be thinking of helping your children get onto the property ladder. This may be by way of a loan or gift. Whichever way you chose, there are some things you need to consider:

- Is the money to be a loan or a gift?
- How would you feel if your child married or cohabited, that partnership came to an end and their ex-partner sought to claim an interest in the property which included the monies you had gifted your child?
- How would you feel if you fell out with your child and they then reneged on any verbal agreement that the money would be repaid?

When entering into a 'family arrangement' people rarely consider or indeed like to consider the possibility of future problems but they can be a reality. By taking advice and having a clear well drafted document recording the agreement reached this provides clarity and minimises the opportunity

for future disputes.

For more information contact Samantha Jago either by email samantha.jago@howell-jones.com or direct dial on 01483 540551

