



farming health check

wilkin chapman llp
solicitors


LegalPanelFirm

our service

Safeguarding you and your farm's future with clear and well-defined documentation, will lead to certainty for future generations and security for the farming business.

To help with this, we have designed a survey for you to self-appraise the current state of your business and personal life.

Areas you may wish to review include:

- Succession Planning
- Dispute Resolution
- Employment
- Commercial and Financial Contracts
- Agriculture Property
- Diversification Projects / Renewables
- Inheritance Tax Planning
- Probate
- Tenancy Agreements
- Partnerships
- Wills & Trusts

Survey completion

If any of your answers have been included within the red tick boxes, we are offering a **FREE** farming health check where you can speak to one of our specialist solicitors who will discuss your concerns and help find the right solutions for you.

To book a **FREE 1 hour health check**, contact:



Andrew Holt

Partner

01522 515940

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NFU Legal Assistance members can receive the following contributions as a special member benefit:

- Two contributions of £250.00 towards work arising from the legal health check relating to your farming or growing business.
- Four contributions of £250.00 towards any legal contract checking or contract drafting service relating to your farming or growing business.
- Wilkin Chapman will review any contract for a fixed fee of £600.00 + vat. The NFU contribution and discount can be used towards this.
- 12.5% discount off all agribusiness related legal services offered to members by Wilkin Chapman.

This benefit is available until 31st October 2021.

free farming health check

Firstly:

- 1 Are you a member of the NFU? YES NO
- 2 Do you subscribe to the Legal Assistance Scheme? YES NO
- 3 Do you have appropriate legal protection insurance in place to cover any eventuality with your business? YES NO

BUSINESS HEALTH CHECK

Part one: Your Business

- 1 Do you have a family succession plan in place? YES NO
- 2 Do you have a current set of terms and conditions? YES NO
- 3 Are you certain you have the right business structures in place? YES NO
- 4 If your farm is part of a partnership, do you have a partnership agreement and is it up to date? YES NO
- 5 Do your supplier and customer contracts reflect the arrangements you have in place; do they protect your business? YES NO
- 6 Are you considering diversifying into tourism and leisure? YES NO
- 7 Have you got any outstanding business debts? YES NO
- If Yes to 7**
- a. Do you know how to manage these correctly and professionally? YES NO
- b. Do you have appropriate clauses in your terms and conditions to ensure you can recover any reasonable costs of recovering your debts? YES NO
- c. Are you able to obtain information on your customers ability to repay their debts? YES NO
- d. Are you compliant with the Pre-Action Protocols for recovery of debts in the UK? YES NO

Part two: Your Land

- | | |
|---|---|
| <p>1 Do you have up to date tenancy/ occupation agreements? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>7 Are you expanding or developing your business? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>2 Might any of your land still be unregistered? If so, are you interested in voluntarily registering it? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>8 Are you constructing, developing or converting buildings? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>3 Do you know where all your deeds are? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>9 Do you have concerns with drones flying over your land? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>4 Do others farm your land and if so, do you have a written agreement in place? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>10 Are you considering a renewable energy project? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>5 Have you checked whether your land benefits from Agricultural Property Relief and if so, are you certain which rate applies: 50% or 100%? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>11 Do you have an issues with an on-going renewable energy project? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>6 Have you protected your land against the creation of new public rights of way? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>12 Are you looking to buy-out an existing renewable energy project? <input type="radio"/> YES <input type="radio"/> NO</p> |

Part three: Your Compliance

- | | |
|---|---|
| <p>1 Have you considered the changes within the Data Protection Regulation (GDPR) relating to how you liaise with your customers, suppliers and employees? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>5 Do you or your employees use firearms as part of your business or recreational use? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>2 Have you got a privacy policy? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>If yes to 5
a. Is the licence(s) due for renewal in the next 6 months? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>3 If you trade internationally have you considered the restrictions of sharing personal data outside of the EU? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>b. Do any licence holders have any health issues that should be declared on reapplying? <input type="radio"/> YES <input type="radio"/> NO</p> |
| <p>4 Are you up to date with your environmental licences? <input type="radio"/> YES <input type="radio"/> NO</p> | <p>6 Do you provide shooting on your land as part of your business? <input type="radio"/> YES <input type="radio"/> NO</p> |

Part four: Your People

- 1 Do you know the employment status of those people who work for you (e.g. employees, workers or self-employed; full-time or part-time; fixed term, seasonal or permanent)? YES NO
- 2 Do you have appropriate contracts of employment in place for each different category of worker? YES NO
- 3 Do you have relevant policies and procedures in place in relation to your staff, of which they are aware and have available to them (e.g. disciplinary and grievance, equal opportunities, anti-bullying and harassment etc.)? YES NO
- 4 Have you considered the data protection implications in relation to the personal data you hold on your workers (for example their HR file, CCTV recordings, health data etc.)? YES NO
- 5 Does your labour force include non-UK nationals? YES NO
- 6 Can your employees prove they have the right to work in the UK? YES NO
- 7 Would your non-UK employee HR files pass a Home Office inspection? (crossover with employment on this issue) YES NO

PERSONAL HEALTH CHECK

Your Family

- 1 Do you have tax planning in place and is it aligned with your business structures? YES NO
- 2 Do you have a Will and Powers of Attorney (for finances and health)? YES NO
- If yes to 2** Have they been reviewed or updated in the last 5 years? YES NO
- 3 Do you know where your Will is kept? YES NO
- 4 Have you considered pre or post nuptial agreements for yourself or your children? YES NO
- 5 If you are not married and live with your partner are you aware of their potential legal rights? YES NO
- If no to 5** Do you require a cohabitation agreement to clarify the position? YES NO

Lincoln

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NFU Legal Assistance Scheme members can benefit from a contribution of up to £250 towards towards legal work arising from the health check.

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