

Member's Newsletter

August 2024

iSME
Irish **SME** Association



Message from the CEO

Dear member,

Hopefully, whether you are in peak business or in peak holiday, summer 2024 is going well for you.

No news on interest rate cuts as yet, the ECB is still seeing signs that prices are not yet at a level where rates should drop, but we expect some fall to come next month.

We have had several enquiries from members about the promised [INCREASED TRADING ONLINE VOUCHERS](#) of €5,000. We contacted the Department of Enterprise, which has advised us that there were some details that needed to be worked through, including final sanction from the Department of Public Expenditure and Reform. We are assured that this process is almost complete, and that the increase grant should be available in the second half of August.

The Department of Enterprise [National Enterprise Hub](#) is now open. This is a single data source point for all government supports for business. The intention is that you can filter down to the requirement for your business quite quickly. There is also a dedicated phoneline help facility available. Please give us feedback on what you think of the site, and we will pass it on.

Hopefully your business did not fall victim to the “blue screen of death” outage triggered by a faulty update from the IT security firm CrowdStrike in July. Whether it did or not, your business should be taking steps right now to ensure compliance with the [Network and Information Systems Directive \(NIS2\)](#) on cyber security. A recent Microsoft survey suggested that 80% of businesses are unprepared for NIS2. This is not just a matter of training and preparation. If you are paying for cyber insurance, it is likely your underwriter will soon require some evidence of compliance with NIS2. Do not leave this topic to chance- failure to prepare and comply could leave you uninsured and unprepared for the next IT failure.

Here in Kildare Street we noted with some concern a story last month about a [fall in applications for SCARP](#) even though small business insolvencies are on the rise. We know that a lot of you are under severe pressure because of the increases in labour costs and VAT this year. [SCARP](#) is a simple, affordable process that allows viable SMEs experiencing temporary financial problems to restructure with the agreement of creditors. ISME fought long and hard to get SCARP onto the statute books. It's a great system that can keep a good business going, even in the face of significant trading difficulty. If your business faces a seemingly insurmountable trading or debt problem.

While there is still some indecision about the date of implementation, it is clear that auto-enrolment is going ahead in 2025. We therefore ask you to ensure that your cashflow budgeting for 2025 assumes a start-up of auto-enrolment payments of 1.55 of payroll for relevant staff [in Q1 2025](#).

I wish you and your staff the best for the month of August.

A handwritten signature in blue ink, appearing to read 'Neil O'Sullivan', followed by a long horizontal line and a circular flourish.

Createschool

Trident Controls

Bibby Engineering Limited

Lensmen Photography

Rathfarnham Day Care

Comsec Protection Systems

N Barrett Engineering Limited

Byrnes Restaurant & Accommodation

Newbridge Business Centre

South Coast Diesels

Paper2 Paper

Tapflo

Soothing Solutions Ltd.

Ravensberg Nurseries Limited

G & G Engineering Ltd.

Orion Tooling Ltd.

Aseptopack Ireland Ltd.

Xava

ACEI

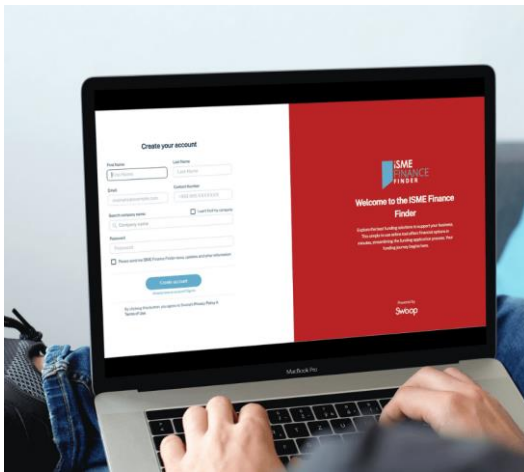
**O'Donovan Engineering Company
Limited**

Tweetinggoddess

Smart Location Analysis

Save the Date: ISME Business Lunch

Mark your calendars for the ISME Business Lunch on Friday, November 29th. This exclusive event is the perfect opportunity to network and discuss industry trends with fellow professionals. Location details will be confirmed soon. Don't miss out on this chance to connect and collaborate. Save the date!



ISME Finance Finder

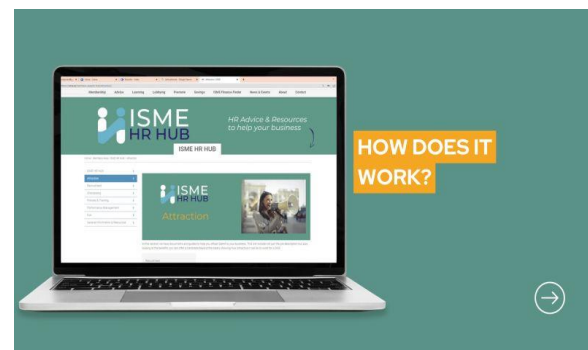
To support businesses in accessing funding the ISME Finance Finder, powered by Swoop Funding, has updated and improved its online platform by introducing cashflow and forecasting tools, banking and accounting system integration, as well as equity funding. Register here now to explore the funding options available or to start a conversation about how much you could raise through equity. Your funding journey starts now by going to www.isme.ie/finance-finder

ISME HR Hub – your HR support

To support Members to deal with the ever-changing world of HR and employment law, we have created a portal to give you access to guides, templates, contracts, policies and more to support you in managing HR in your business. We have curated the information based on the HR Life Cycle: Attraction, Recruitment, Onboarding, Policies & Training, Performance Management and Exit.

You can also find information from government agencies and other third parties in our General Information & Resources page, links to the top downloads and view our selection of blogs including Statutory Sick Pay FAQs and EU Directive on Transparent and Predictable Working Conditions.

To find out how it works and looks, click on the video about the portal [here](#). To use the ISME HR Hub log into the Members Area, click on the top left button.



Save Now with ISME's Affinity Programme



Take a look at the most recent addition to the ISME ADVANTAGE Affinity programme from ISME Member business [Me2You](#)

Order over €5,000 and get €50 gift card free. Other offers include discounted acceptance rates for all new ISME member merchants/retailers joining Me2You gift card.

View all our Affinity programmes [here](#). ISME Members can access all offers when they log into the Members Area

Wellness for your team

ISME partners with Laya healthcare and their health & wellbeing provider, SpectrumLife to provide 24/7 Mental Wellbeing Support Programme (EAP) for ISME Members. We offer unlimited access for your employees and their families to a 365 freephone EAP service, accessible via website, app, or live chat. The cost for up to 30 employees is €500 + VAT and each subsequent employee €9 per employee. Find out more [here](#).



Advertise with the bISME

The **bISME** is the official quarterly online magazine of ISME. The bISME is sent to businesses across the country and carries comprehensive editorial content including: news; interviews with leading business figures; ISME services and lobbying updates; member profiles; HR; finance; topical issues facing Irish SMEs; lifestyle articles; and lots more.

We are planning issue 25 of the bISME. If you would like to advertise in our online publication with a growing circulation, take a look at the rate card [here](#) and email us at marketing@isme.ie

New free service makes it easier for Irish businesses to access supports



Running a business isn't easy, There are lots of things that can get in the way of success. Rising costs, increasing competition, struggling to find the right talent, and not having the time to focus on the important things. It's not easy but accessing support should be. And it starts here.

Bringing together over 180 supports from 19 different departments and agencies, the new National Enterprise Hub is the single source for all government support for your business. With everything from simple, easy-to-access grants to expert advice and training, our website has all the information, all in one place.

And don't worry about not knowing what you need: our helpful team of trained advisors available online or over the phone ([\(01\) 727 2100](tel:017272100)) will guide you every step of the way. So, whether you've applied for supports before, or it's your first time, we're here to help you get started.

Support starts here, visit www.neh.gov.ie for more information.

ISME taking bookings now for ads in the 2025 Wall planner



We will be printing and distributing our popular 2025 ISME Wall Planners to the membership before the end of the year. We offer advertising space on the planner, a great B2B tool which will be distributed to all ISME Members nationwide. There are four sizes available for advertising, and as always, ISME Members receive a discounted rate. Book your spot now as they sell fast.

Download the spec [here](#) or email marketing@isme.ie for more information

ISME Wellness Programme

Partnering with Laya healthcare and their health and wellbeing provider, Spectrum.Life

Offering ISME Members a **24/7 Employee Assistance Programme**, with unlimited access for members, their employees & families to:

- 24/7 EAP service accessible via website, app, or live chat
- Up to 6 sessions of face-to-face counselling
- Video/telephone counselling
- Support across finance, legal, mediation, parenting coaching, life coaching & more

Special Member Rate:

€500 + VAT (fixed cost per year) for up to 30 employees. Each subsequent employee €9 + VAT per employee per year

Learn more here:

isme.ie/isme-wellness-programme

Health & Safety Authority Update



An tÚdarás Sláinte agus Sábháilteachta
Health and Safety Authority

- ❑ [Occupational Health and Safety Guidance on Vulnerable Workers in the Workplace](#) guidance is written for employers and employees in all work sectors, including agency workers, contractors, migrant workers, part-time and temporary workers, and gig workers.
- ❑ A new course [Vulnerable Workers: A short Course for Employees](#) is now live on [hsalearning.ie](#). This short awareness-raising course is for employees, including those who are vulnerable workers. The course will also be helpful to employers and managers, supervisors, safety personnel, and to organisations or educational bodies that are helping vulnerable persons to prepare for the workplace.
- ❑ [Why a Health and Safety Inspector Calls to your Workplace](#) guidance explains to you what to expect when an HSA inspector calls to your workplace to carry out an inspection or an investigation. It also explains what we do with the personal data we are required to collect during our workplace inspections and investigations.
- ❑ A new course '[Protecting Vulnerable Workers](#)' is now live on [hsalearning.ie](#). The course is accessible from a new topic titled 'Vulnerable Workers' on [hsalearning.ie](#). This course is targeted at employers/managers/supervisors – across all sectors. It includes a definition of vulnerable workers (VWs), examples of VWs, some profiling around specific cohorts, accident data (including HSA accident trends data 2013 to 2022), an explanation of vulnerability and some indicative personas. In addition, we have a useful checklist which provides examples of what a prevention approach looks like.
- ❑ New information sheet on occupational noise is written for employers and employees to raise awareness and control the risk of workplace noise. It is applicable to all sectors.
Many thanks to Declan Foster, Mairead Wall, Shara Smith and Helen Hourihane.
Please see: [Sound matters - Occupational Noise](#)
- ❑ **New Topic Page on Human Factors:** [Human Factors - Health and Safety Authority \(hsa.ie\)](#)
- ❑ [Vulnerable Workers Information Sheet](#) is written for employers, managers, and supervisors. The purpose of this information sheet is to raise awareness around vulnerable workers, employer responsibilities in relation to protecting vulnerable workers, and protection practices.
- ❑ [Vulnerable Workers Topic Page on HSA Website](#) provides some high-level information about vulnerable workers and some signposting to key resources.

HSA Events



The HSA will be hosting a National Conference on Safety Representatives in Dublin Castle on the 12th of November 2024.

All current Safety Representatives, employers, training organisations, instructors, professional health, and safety practitioners, those interested in occupational health and safety and anyone with occupational health and safety responsibilities are welcome to attend the conference.

The conference will include keynote speakers, panel discussion and round table discussions.

Click [here](#) to book your spot and learn more.



New Module from SEAI

SEAI has released a new module - Introduction to Energy in Hotels. This module has been designed to support hotels on their energy efficiency journey. It will help businesses understand their energy use, identify quick wins and investment opportunities.

You can access the module [here](#)

SEAI Survey

At SEAI, they have noticed an increased interest in biomass options being discussed in all commercial sectors, in particular among SME's. To further understand their target market SEAI are carrying out a short survey on biomass to assess both the driving and limiting factors that affect take up of biomass options, and to understand the current perceptions of biomass among SME's.

We would be very grateful if you can take the time to fill this in before July 26th. The survey should take no more than 8 minutes of your time, and this data will be used to inform SEAI's biomass offerings.

<https://forms.office.com/e/eMaVr7zfcX>

Green Business Supports

Ireland has a target to reduce carbon emissions (greenhouse gas emissions) by 51% by 2030, and to achieve a climate neutral economy by 2050. (source: Government Report). The sectoral emissions ceilings (SECs) agreed in July 2022 put in place targets for each sector to achieve this. The target for the enterprise sector is to reduce emissions by 35% by 2030. In order to do this, businesses are encouraged to invest in a greener future, through sustainable products, services and business models.

Whether your business is big or small, it is important to reduce emissions and promote sustainability in how you work. Click [here](#) to find a number of training, mentoring and financial supports for companies trying to reduce their carbon footprint

ISME in the news:

ISME featured in the media this past month speaking about the following subjects:

- Email scams cost Irish SMEs almost €10m last year
- Teen Minimum Wage
- Tax policy reform to tackle housing crisis

You can view and listen back to a selection of ISME's media coverage [here](#).

Events

Autumn Gift + Home Fair 2024, Sunday 25th – Tuesday 27th August, RDS Dublin, Book [here](#)

NextGen | Digital Summit 2024, Thursday, 5th September, Croke Park, Book [here](#)

DigiMarCon Ireland 2024, Thu 5th – Fri 6th September, The Westin Dublin Hotel, Book [here](#)



TO LET!

Are you (or someone you know) looking for a city-centre office? ISME has an own-door, own-Eircode basement office at 17 Kildare Street available for immediate occupation.

1,300sqft.

Enquiries to **Neil McDonnell** (neile@isme.ie)



Concerned about rising business costs?

Access up to 50% in
discounts on business
products & services
with the **ISME ADVANTAGE**
Affinity programme

**ISME members can save
now on
www.isme.ie/advantage**



Employee or not an Employee?

Following from the recent Supreme Court ruling in the case of *The Revenue Commissioners v. Karshan (Midlands) Ltd t/a Dominio's Pizza* (the “Karshan Decision”), Revenue have recently published its “Guidelines for Determining Employment Status for Taxation Purposes”.

While Revenue has responsibility for determination of employment status of a worker for taxation purposes, responsibility for determination of employment status of a worker for PRSI purposes falls to the Department of Social Protection.

There is a legal difference between a contract of employment (known as a 'contract of service') and a 'contract for service'. A contract of employment applies to an employee-employer relationship. A contract for service applies in the case of an independent, or self-employed, contractor.

The Guidelines reflects the five-step framework to be followed in determining an individual's employment status, as established by the Supreme Court in the Karshan Decision. The five-step framework is –

1. Does the contract involve the exchange of a wage or other remuneration for the work provided? Commonly known as a “*Work/Wage bargain*”
2. If so, is the agreement one pursuant to which the worker is agreeing to provide their own services, and not those of a third party, to the employer? This is described as “*Personal Service*” in the Guidelines
3. If so, does the employer exercise sufficient control over the putative employee to render the agreement one that is capable of being an employment agreement?
4. If these three requirements are met, the decision maker must then determine whether the terms of the contract between employer and worker interpreted in the light of the admissible factual matrix, and having regard to the working arrangements between the parties as disclosed by evidence, are consistent with a contract of employment, or with some other form of contract, in particular, to whether the arrangements point to the Putative employee working for themselves or for the putative employer.
5. Finally, it should be determined whether there is anything in the particular circumstances legislative regime under consideration that requires the court to adjust or supplement any of the foregoing.

The first 3 questions of the framework are to operate as a filter and if any of these questions are answered in the negative, then there can be no contract of employment. However, where the response to the first 3 questions are answered in the affirmative, the questions 4 and 5 of the framework are to be considered.

The Guidelines have expanded on the five elements of the framework over 30 pages, with extensive quotes from the Karshan Decision. It provides full explanation of the five-steps with 19 examples of the application of the framework.

The Guidelines have specifically referred to certain industries which, following the application of the five-step framework, Revenue consider it likely that there would be a number of employees who are currently categorized as contractors. These industries are construction, domestic setting; couriers and other transport providers, media and platform operators along with details on part-time, casual and seasonal workers and the public sector.

While there is specific reference to these industries, all workers are still subject to the five-set framework before being determined to be an employee.

It is detailed in the Guidelines clearly states that any *“engagement of companies by business cannot be contracts of service, or employment, for taxation purposes”*.

As stipulated at the time of publishing its findings on the Karshan Decision, the Supreme court clarified the decision was not to determine if the drivers held continuous service per employment legislation and noted that it is a tax case.

It is critical for Employers to prioritize accurately classifying workers due to the significant overlap in tests used by Revenue and other adjudicating bodies such as WRC to determine employment status. Misclassifying a contractor can result in substantial risks, including potential tax liabilities, social welfare liabilities and employment law claims.

Employers must be aware that Revenue expects them to

- a. Retain evidence that they have carried out an analysis when engaging contractors applying the five-step framework, particularly when determining that they are properly contractors, and also
- b. Regularly review the contractor engagement to ensure that the application of the five-step framework has not changed over time as the relationship evolves.
- c. Revenue also expects all employers to do this review on existing contractors who were engaged before the Karshan Decision.

Revenue Guideline – <https://www.revenue.ie/en/tax-professionals/tdm/income-tax-capital-gains-tax-corporation-tax/part-05/05-01-30.pdf>

For further information or support on this or any HR matter, ISME Members can contact the HR Advice Line via HR@ISME.ie or 01 6622755.



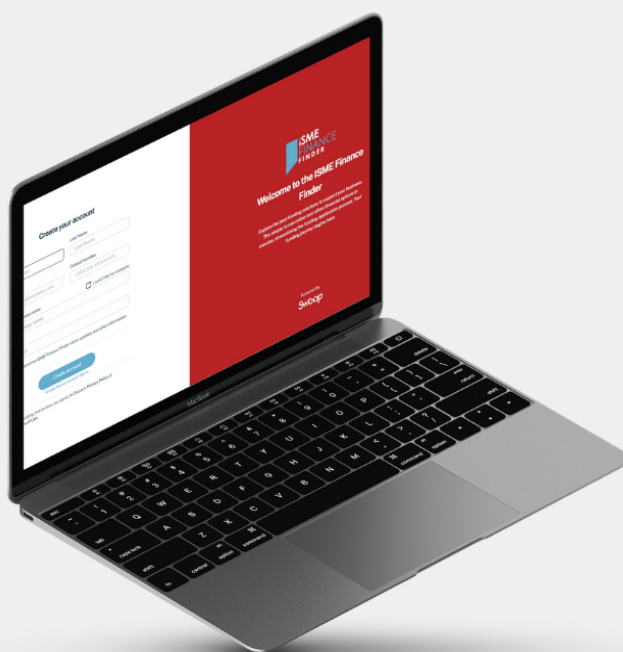
Do you want to...

start or expand your business?

improve cashflow?

acquire a business?

purchase property?



If so, your finance journey starts here

isme.ie/finance-finder



The **ISME Skillnet** service is here to help both the business owner and their employees. ISME Members can receive up to 40% discount for ISME Skillnet training, view courses below.

UPCOMING COURSES:

COURSE	DATE	VIEW COURSE
Introductory Certificate in Bookkeeping using Big Red Cloud	Join Anytime	View Course
Planning & Budgeting in Accounts	Join Anytime	View Course
HR Essentials for SME's	From Monday 2 nd Sept	View Course
Certified Leadership Programmes: <ul style="list-style-type: none">• Emerging Leadership Development Programme• Frontline Managers - Leadership Programme	Monday, 16 th Sept	View Courses
Introduction to Canva	Tuesday, 17 th Sept	View Course
Customer Service and Complaints Handling	Thursday 19 th Sept	View Course

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THE FULL LISTING

