

FARRER&Co

Our work with Senior Executives

Helping you navigate between
home and the office



Why Farrer & Co

Farrer & Co is synonymous with the highest quality legal advice and service and working with senior executives is a core part of our business. We are a firm with a long and distinguished history advising private clients and have grown to establish a market leading commercial practice, including top tier rankings in the leading UK legal directories Legal 500 and Chambers & Partners. Advising senior executives marries the two sides of our firm and we are ideally placed to advise you on all your business and personal legal matters.

We understand the demands on your time, both at work and at home. We appreciate the vital importance of protecting your reputation and ensuring you achieve the most out of a career move. We recognise that amidst managing life at work, there are a myriad of personal matters that demand your attention.

We pride ourselves on providing timely, sensitive advice to successful people. Our breadth of experience means we have the technical expertise to advise you, whatever the challenge, as well as a broader understanding of the world in which you operate. We are presented with complex and varied challenges, whether that's facing an unplanned exit from a senior role, ensuring that your assets are best protected or helping you navigate sensitive family matters. Our senior executive clients need clear thinkers who can advise on the best solutions, fast thinkers when speed is of the essence and agile thinkers who can produce a fresh approach to get the job done. That's why they choose us.



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How we help

We have extensive experience of advising:

- management teams on the implementation of employee incentive schemes, including on the terms of shareholders' and award agreements, options arrangements and scheme rules,
- key employees and partners on the equity components of their remuneration packages, including their entitlements on joining and termination,
- senior executives on corporate governance issues, including directors' and partners' duties and conflicts of interest – in particular, supporting them and their personal interests during transformative stages of the relevant company's life-cycle, and
- business professionals on the establishment of independent entrepreneurial ventures.

Examples of work



Advising the management team of a joint venture between two household-name supermarkets on a cash and equity employee incentive scheme.



Advising the management team of the UK's leading directories business on a cash-based employee incentive scheme.



Advising the management team of an international eco-friendly data storage provider on the terms of a cash-based bonus arrangement.



Advising the CFO of a high profile private-equity backed business on an award of shares at the fund level.



Advising a senior executive at a leading private equity fund on the impact of termination on his equity remuneration.



Acting for a founder fund manager on a contentious LLP exit and buyout.



Acting for a senior executive on the negotiation of the equity terms of an employment offer from a luxury brands business.



Advising a senior barrister on the establishment of a legal technology company.

Regulatory



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How we help

We advise senior executives on both non-contentious and contentious regulatory matters that arise throughout their careers. The regulatory landscape is constantly changing and our clients rely on our partner led advice to guide them through not just rules and guidance, but the current expectations of regulators and professional bodies in order to navigate issues strategically and achieve successful outcomes.

We understand the challenges our clients face and using our experience, we seek to provide bespoke and commercial advice on matters large or small in a way that recognises the critical role that regulatory relations have in the careers of senior individuals.

We support senior executives across the financial services sector and partners and members in professional services and investment firms in all aspects of regulatory advice, including:

- obtaining regulatory permissions and advice on the Senior Managers & Certification Regime,
- on FCA and PRA obligations,
- the establishment of FCA regulated funds and funds targeted at private individuals,
- internal and regulatory investigations (including acting as Independent Legal Advisors to individuals in the context of investigations or regulatory sanction),
- in respect of market abuse allegations,
- contesting PRA and FCA enforcement action and English court proceedings, and
- partnership disputes.

Examples of work



Advising the director of a large international bank in connection with prospective FCA and SFO investigations/enforcement concerning LIBOR fixing.



Acting for a global hedge fund manager in successfully having a long-running FCA market manipulation investigation discontinued, including against the co-founder and senior traders.



Assisting the managing member of an investment manager in a dispute with his co-founder concerning allegations going to conduct and fitness and propriety.



Working with a private investigator in pursuing claims against a major retail bank for systems and controls failures connected to cryptocurrency.



Acting for a senior director at a FTSE 250 company in relation to an FCA investigation concerning an alleged failure to disclose inside information and breaches of the Market Abuse Regulation 2016.



Advising the CEO of a FTSE 100 company in relation to cross-border criminal and regulatory investigations concerning alleged failures to disclose inside information and breaches of various listing rules.



Acting for a high-profile individual on cross-border regulatory scrutiny following the collapse of a financial services business.



Advising a former partner of a now insolvent professional services firm in the context of the criminal and regulatory framework governing the conduct of LLP members.

Employment



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How we help

We are one of the leading advisers to senior executives and our specialist lawyers have many years' experience supporting "high-flyers" at critical points in their careers. We can provide you with strategic, commercial and partner led advice at critical points in your career.

Clients rely on us to help them make the strategic decisions that are right for them in the long term. We work with leaders across a range of sectors including prominent individuals at FTSE companies, leading banks, financial firms, retailers, media companies and well-known City partnerships. We act for board directors and senior managers in public and private companies, and partners and LLP members in legal and other professional services and investment firms.

We can support you in all aspects of employment advice you may require, including:

- accepting a new role,
- advice on exits and termination negotiations,
- disputes and litigation,
- team moves and restrictive covenants, and
- investigations.

Examples of work



Advising numerous plc directors on their appointment to and departures from the boards of major public companies.



Advising a senior equity partner on an injunction to enforce certain restrictive covenants in the High Court, successfully negotiating a settlement.



Advising partners on entry and exit, including restrictive covenants, notice and garden leave provisions, treatment of deferred equity arrangements and carried interest rights on exit.



Representing a partner of a major US law firm in relation to a disability discrimination claim in the Employment Tribunal, leading to a seven figure settlement.



Advising a media executive on their exit from a US news organisation, including negotiation out of a non-compete, and appointment as CEO of a major UK TV news company.



Advising a senior banker through an internal investigation concerning potential regulatory and criminal conduct and involving US regulators.



Advising the CEO of a listed company facing allegations of bullying who was exonerated following an investigation.



Representing former CEO of a FTSE 250 company on their ongoing whistleblowing dispute, including interim relief application, to the Employment Tribunal.

Reputation Management



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How we help

We advise senior executives on all aspects of reputation management, media and information law. Our experience includes assisting clients on:

- mainstream media enquiries and coverage (both pre and post publication),
- targeted attacks and disinformation campaigns via social media and other platforms,
- allegations of breach of confidence,
- concerns relating to misuse of private information and personal data,
- "right to be forgotten" requests against Google and other platforms,
- defamation, privacy, data protection and harassment litigation, and
- wider reputation management and protection strategies (in tandem with other specialist advisers, including communications and digital intelligence firms).

Examples of work



Advised Martin Glenn, the former CEO of The Football Association, on successful libel and harassment proceedings against a former employee of a Premier League football club who posted a multitude of false and defamatory allegations on Twitter.



Advised the Chief Executive of a leading art gallery on multiple media enquiries relating to their personal and tax affairs, and addressing the falsity underlying those allegations.



Advised the CEO and founder of a leading global metals business on the removal of inaccurate personal data from various due diligence databases.



Advising former CEO of FTSE company on dealing with media enquiries/articles following departure in circumstances of alleged serious wrongdoing against directors (subsequently not upheld).



Advising directors/former directors in respect of #MeToo type allegations.



Advising directors across a range of reputation and regulatory issues arising out of a major, highly-publicised corporate failure.



Advising founders and directors in respect of sustained adverse media coverage concerning ESG issues.

Dispute Resolution



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How we help

We advise senior executives on a broad range of disputes arising in connection with their businesses and their personal lives, including:

Businesses

- claims to pursue bonuses, LTIP benefits, carry interest, profit shares and earn-outs,
- shareholder disputes, including for unfair prejudice and breaches of shareholder agreements,
- boardroom disputes,
- claims against directors for breaches of fiduciary duty,
- insolvency related claims such as wrongful trading, fraudulent trading,
- director disqualification proceedings, and
- pursuing D&O insurance and claims under indemnities.

Personal

- investment and mis-selling claims against financial institutions and intermediaries,
- disputes with contractors,
- contentious trust and estate claims,
- property and planning disputes,
- professional negligence claims against advisors, and
- disputes over the provenance and authenticity of artwork.

We understand that a significant commercial dispute is likely to be of critical importance to you, and will require sensitive handling and an urgent response. We pride ourselves in the quality and the responsiveness of the service we deliver.

Examples of work



Acting for the former director of a FTSE 250 company in his defence of a claim by a significant minority shareholder.



Advising on multiple claims of an insolvent company relating to an alleged transfer at an undervalue of approximately £5m.



Successfully enforcing an executive's entitlement to shares under an LTIP, and negotiating the sale of the shares back to the company for more than £2m.



Acting for a senior trader confronted with allegations that he had engaged in unlawful trading activity, with associated demands to inspect his personal devices.



Acting for one of the parties in Imerman vs Tchenguiz, one of the leading cases on misappropriation of data from business systems.



Acting for an entrepreneur seeking to recover losses to her earn-out resulting from a new management team depressing profitability in breach of the SPA.



Defending director-shareholders against an unfair prejudice claim for £70m+.



Defending an executive in disqualification proceedings where it is claimed that an LLP partner's failure to supervise was a breach of fiduciary duty.



Acting for senior executives accused of taking business methods and intellectual property in High Court proceedings.

Immigration



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How we help

We advise senior executives on all aspects of inbound UK immigration. We act for both senior executives directly and their employers (whether small to medium size companies or multinational businesses). Our experience includes assisting clients with:

- strategic advice on the most appropriate visa application, and the timing of the same,
- applications to come to the UK as a skilled worker,
- applications to come to UK as the sole representative of an overseas business,
- applications to come to the UK as Tier 1 (Investors),
- applications for family members to accompany the senior executive to the UK,
- applications for key members of the senior executive's domestic staff, in particular nannies, to accompany the senior executive to the UK,
- applications for permanent residency, particularly on an exceptional basis,
- applications for British Citizenship, particularly on an exceptional basis,
- applications for Pre-Settled and Settled Status under the EU Settlement Scheme,
- applications for business visit visas,
- options for fast-tracking visa processing in order to meet commercial deadlines, and
- coordinating applications for second citizenship.

We also work closely with the firm's tax team, to ensure that any decisions regarding immigration are made with an individual's tax position in mind.

Examples of work



Assisted the CEO of a major investment bank in obtaining a visa for his nanny in unusual circumstances, such that she could help his children settle in a new environment when the family relocated to the UK.



Co-ordinated an executive's application for a European passport (on an exceptional basis) to enable him to travel with ease following Brexit. Their high profile required the process to be handled very delicately.



Advised two leading Ukrainian lawyers (a couple), directors of companies based in the CIS and British Virgin Islands, in a complex family situation on the best options for relocation to the UK.



Obtained a Sponsor Licence for a senior executive's employer and subsequent Skilled Worker visa in an exceptionally short time frame. This was for a Middle Eastern executive who needed urgently to work in the UK during the Covid-19 pandemic.



Assisted a very senior executive of a multinational broadcasting company to relocate to the UK at the height of the global pandemic. We took a creative approach to ensure her children were able to relocate with her, with minimal disruption to their already uprooted lives.



Secured a visa waiver for the employee of a client, enabling a high-profile sports commentator to work in the UK while visa application centres were closed. The commentator was widely praised for his work, including raising profile for equality issues.

Private Client



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How we help

We pride ourselves on our ability to bring our collective experience; experience which has been earned through working with families over many generations while looking after their national and international assets, to create strategic and practical solutions to the issues which clients face whether it is in relation to:

- wills and succession planning,
- trusts,
- probate and the administration of estates,
- tax, tax risk and tax planning,
- dealing with mental incapacity/capacity related issues,
- contentious family or probate disputes,
- the structuring of art, heritage, cultural or other unique assets, and
- wealth preservation more generally.

We are specialists who deal with the needs of the modern and often internationally mobile family, those which don't necessarily conform to a norm, but who will always need structured tax and succession advice. We guide them through the range of tax, regulatory, family law and other issues which may arise in planning for and passing wealth between the generations.

Examples of work



Providing urgent structuring advice in relation to multiple high value assets including properties, yachts and aircrafts, and tackling difficult trust law issues in relation to the historic ownership of a family home.



Acting for an international businessman philanthropist and his spouse, whose affairs are increasingly connected to the UK. This has included conducting a wide-ranging review to ensure that their assets are protected, and to plan for the future.



Putting in place Lasting Powers of Attorney (LPAs) at very short notice, before a client's three-month mountaineering expedition.



Advising a high-profile city executive in relation to complex cross-border estate and tax planning matters.



Helping a high-profile executive with the administration of their late grandparent's estate, guiding them through the probate process and agreeing the tax position with HMRC. Our work took place during an extremely busy period in the executive's career, and they praised us for our ability to take the load off their shoulders.



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How we help

Our tax team understands the unique tax challenges which senior executives and their families can face. We provide bespoke support to ensure that clients derive maximum tax efficiency from their remuneration packages, lifestyle changes and international exposure.

We have extensive experience advising senior executives across the full tax spectrum, including:

- providing strategic advice on the tax treatment of remuneration and incentivisation packages, including negotiating and agreeing the relevant legal documentation and incentive plans,
- advising on international employments, secondments and postings. We frequently advise senior executives on cross-border tax planning and remuneration schemes with multinational businesses, including double tax treaty issues and minimising their overall tax burden,
- providing bespoke advice and support in relation to loans, share and stock option packages and long term incentive plans,
- managing tax exposure for executives taking on new roles, negotiating reward packages and considering termination settlements,
- supporting clients in relation to tax disputes with tax authorities and others, and
- assisting senior executives with their personal tax profile, including managing tax residence, domicile and cross-border taxation.

Examples of work



Assisting the CEO of a multinational FTSE 100 company in relation to a dispute concerning the tax treatment of his cross-border remuneration package.



Advising the CEO of a multinational organisation on his contractual arrangements to cater for US and UK tax issues on his salary and benefits.



Advising a board member of a US tech company in relation to his long-term incentive plan and stock options under a US LTIP.



Advising a non-UK domiciled executive on her dual-employment arrangements with an international group.



Advising a new UK management team of a FTSE 250 company on the UK tax treatment of their LTIP incentives package.



Devising a stand-alone equity incentive package for an incoming senior executive.

Family



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How we help

We advise high net worth individuals on all matters arising from their personal relationships. This can include:

- advising on pre-nuptial and post-nuptial agreements,
- resolving financial matters upon relationship breakdown or upon the birth of a child where parents are unmarried, and
- resolving matters that impact upon children's welfare, such as with whom the children are to live, where they should go to school or even in which jurisdiction they should live.

We have a market-leading reputation for high-value, complex work involving substantial assets, foreign jurisdictions, complicated asset protection structures and trust and tax issues.

Our clients tell us that they value our ability to communicate complex issues in a pragmatic, innovative and positive way. We maintain a constructive approach in sensitive and difficult situations, and are known to be straightforward and sensible.

Examples of work



Advising a European client on a pre-nuptial agreement in circumstances where the couple were living across seven jurisdictions.



Advising a spouse in connection with their divorce and financial proceedings in circumstances where they had significant inherited wealth.



Advising a spouse in circumstances where it could be proved that the financial disclosure made at the time of their divorce was incorrect.



Advising the trustees of a family trust who were joined to financial proceedings on divorce.



Advising a father regarding arrangements for his children including where they live (whereabouts in the UK or abroad), the time they spend with each parent and financial provision.

Residential Property



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How we help

Whether you're racing to complete on a new family home before the start of the school year or exploring investment properties in prime parts of London, we pride ourselves on delivering a first-class service. We have one of the largest teams of dedicated residential property lawyers in the sector and we were recently awarded "Residential Property Team of the Year" at the Chambers High Net Worth Awards 2020.

We are well equipped to guide you through the residential transaction process from start to finish, and work closely with our tax-specialist colleagues to address any issues that may arise in your UK property dealings.

Operating at the heart of the prime residential property sector means that we can also provide our clients with access to our extensive network of professional contacts, from buying agents, mortgage brokers and banks, to the best heritage consultants, structural engineers, landscapers and interior designers.

Examples of work



Purchase of one of London's most desirable new-build apartments on Grosvenor Square for £35,500,000.



Purchase of an 80 acre estate including a Tudor house, stables and woodland achieving exchange of contracts in seven days.



Negotiation of an option to buy and subsequent purchase of a £21,500,000 penthouse on Chesham Place.



Purchase of a Grade II listed property dating from the 18th Century.



Numerous acquisitions and sales of property holding Special Purpose Vehicles.

Get in touch with us to find out more about how we can help
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You can also find more information on our [Senior Executives webpage](#)