

**10<sup>th</sup> March 2021**

**BY EMAIL**

[request-718564-  
fb7691ef@whatdotheyknow.com](mailto:fb7691ef@whatdotheyknow.com)

**Our Ref: FOI 1408**

Dear Mr Ward-Robb

Your request for information was received on 15<sup>th</sup> January 2021 and was dealt with under the terms of the Freedom of Information Act 2000. Please be advised that the Business Services Organisation has now completed its search for the information you requested with regards to statutory minimum wage.

The BSO can confirm arrears of £1,310.69 was paid to 32 employees due to a delay in progressing a pay award at that time. This was substantiated by HMRC's Compliance team and recorded in a 'Notice of Underpayment – section 19 of the National Minimum Wage Act 1998' dated 23 March 2018.

HMRC calculate penalties based on the amount of arrears paid and the year which these arrears relate to. The Notice of Underpayment set out the penalty as a maximum of 200% of the arrears paid ie £2,621.38, or 100% of the arrears if the penalty was paid by 9 April 2018 ie £1,310.69. The penalty of £1,310.69 was paid by the Business Services Organisation on 26th March 2018 ie. prior to 9 April 2018.

The Notification of Underpayment received from HMRC on 23 March 2018 highlighted that this matter was 'referred to BEIS for consideration under the NMW Naming scheme.' All other enquiries were handled by Department of Health press office.

I hope that the information provided assists you. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter.

In the event that you require a review to be undertaken, you can do so by writing to



Information Governance Manager,  
2 Franklin Street,  
Belfast,  
BT2 8DQ

If, following an internal review, carried out by an independent decision making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the BSO has complied with the terms of the Freedom of Information Act.

You can contact Information Commissioner at:

**Website:** [www.ico.org.uk](http://www.ico.org.uk)  
**Phone:** 0303 123 1113  
**Email:** [casework@ico.org.uk](mailto:casework@ico.org.uk)  
**Post:** Information Commissioner's Office  
3rd Floor, 14 Cromac Place  
Belfast  
BT7 2JB

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However the Commissioner has the option to investigate the matter at his discretion.

Yours Sincerely,

A handwritten signature in cursive script that reads "Karen Bailey".

**Karen Bailey**  
Acting Chief Executive