

3 February 2021

Our ref: FOI/23701

Ed Ward-Robb

Email: [request-718569-773802c5@whatdotheyknow.com](mailto:request-718569-773802c5@whatdotheyknow.com)

Dear Mr Ward-Robb,

**Re: Named and Shamed by BEIS**

I refer to your Freedom of Information (FOI) request received on 15 January 2021. Outlined below is Belfast Trusts' response, which I hope you find helpful.

**Question:**

Belfast HSC Trust was recently included on a "Rogue Employers List" for its failure to pay the statutory minimum wage. The listing indicated arrears of £7,303 to 192 workers.

Please confirm, (a) the amounts paid back to the 192 workers concerned, (b) the fines imposed and paid by the Trust in respect of the £7,303 arrears of pay and (c) the date(s) of receipt and payment of fine demands?

**Response:**

The Trust can confirm arrears of £7303.41 were paid to 192 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 to which these arrears relate. The Notice of Underpayment set out the penalty as a maximum of 200% of the arrears paid, i.e. £13,801.44, or 100% of the arrears if the penalty was paid by 9 April 2018, i.e. £6,900.72. The Business Services Organisation paid the penalty of £7303.41 on behalf of Belfast Trust, 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 the Department of Health press office.

**Question:**

In addition, please provide a copy of all communications received from the Department for Business Energy and Industrial Strategy (BEIS) indicating the Trust was to be included on a forthcoming Naming and Shaming List.

**Response:**

Correspondence received from the Department for Business Energy and Industrial Strategy (BEIS) is attached to my cover email.

If you are dissatisfied with the way in which we have handled your Freedom of Information (FOI) request you may wish to complain. You should write to: Public Liaison Service, Belfast Health & Social Care Trust, Nore Villa, Knockbracken Health Care Park, Saintfield Road, Belfast BT8 8BH or alternatively e-mail: [publicliaison@belfasttrust.hscni.net](mailto:publicliaison@belfasttrust.hscni.net) within two months of the date of this response and your complaint will be considered and a response provided, usually within 20 working days of receipt.

Should you still be dissatisfied with the outcome, you can proceed to the second review stage by contacting the Information Commissioner, The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF who will undertake an independent review. It is important to note that if you refer any matter to the Information Commissioner, you will need to show evidence of having gone through the Trust's review process to try to resolve the matter with the Trust in the first instance.

If you require any further information or wish to discuss, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in cursive script that reads "Hayley Kern".

Public Liaison Officer