



Department for
Business, Energy
& Industrial Strategy

National Minimum Wage Team
Department for Business, Energy &
Industrial Strategy
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Our ref : FOI2021/01586

15 February 2021

Dear Mr Ward-Robb,

Thank you for your email of 15th January 2021 where you requested the following information:

*Six Northern Ireland Health and Social Care bodies were recently included on a "Rogue Employers List" for their failure to pay the statutory minimum wage. The listing indicated the *6 HSC bodies were responsible for total arrears of £40,533 involving 1,002 workers.*

Please confirm (a) the amounts paid back to the 1,002 workers concerned, (b) the fines imposed and paid by each of the 6 named HSCNI bodies in respect of the £40,533 arrears of pay and (c) the date(s) of receipt and payment of fine demands?

In addition please provide a copy of all communications issued from the Department for Business Energy and Industrial Strategy (BEIS) to the 6 HSCNI bodies indicating they were to be included in a forthcoming Naming and Shaming List.

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

1. *(a) the amounts paid back to the 1,002 workers concerned*

The total amount paid back to 1,002 workers at the six companies listed in table 1 below was £40,535.79. This is the same as the amount the companies owed in arrears, which was published on gov.uk on 31 December 2020 (<https://www.gov.uk/government/news/rogue-employers-named-and-shamed-for-failing-to-pay-minimum-wage>).

Table 1: Arrears and number of workers concerned.

Company	Arrears	Number of workers concerned
Business Services Organisation	£1,310.69	32
Southern Health and Social Care Trust	£11,285.34	269

South Eastern Health and Social Care Trust	£7,564.66	193
Belfast Health and Social Care Trust	£7,303.41	192
Northern Health and Social Care Trust	£6,900.72	146
Western Health and Social Care Trust	£6,170.97	170
Total	£40,535.79	1002

(b) the fines imposed and paid by each of the 6 named HSCNI bodies in respect of the £40,533 arrears of pay

The penalty amount imposed on the six companies is given in table 2 below.

Table 2: Penalty amount.

Company	Penalty amount
Business Services Organisation	£2,621.38
Southern Health and Social Care Trust	£22,570.68
South Eastern Health and Social Care Trust	£15,129.32
Belfast Health and Social Care Trust	£14,606.82
Northern Health and Social Care Trust	£13,801.44
Western Health and Social Care Trust	£12,341.94
Total	£81,071.58

With regards to the penalty amount that was paid, the Department for Business, Energy and Industrial Strategy (BEIS) does not hold this information. You may wish to resubmit your request to HM Revenue and Customs (HMRC) who may hold the information you requested. HMRC can be contacted via the following email address - foi.request@hmrc.gov.uk.

HMRC uses Notices of Underpayment to inform employers of arrears due to workers and associated penalties due to HMRC. Generally, penalties are set at 200% of arrears due, reduced to 100% if the employer pays all arrears to workers and the penalty within 14 days. On 1 April 2016 the government increased the financial penalty percentage that employers pay for breaking minimum wage law from 100% to 200% up to a maximum penalty of £20,000 per worker.

(c) the date(s) of receipt and payment of fine demands

The date that the six companies were served a Notice of Underpayment from HMRC, which includes details of the penalty, is given in table 3 below.

Table 3: Date of service of Notice of Underpayment.

Company	Date of service of Notice of Underpayment
Business Services Organisation	23/03/2018
Southern Health and Social Care Trust	23/03/2018
South Eastern Health and Social Care Trust	23/03/2018
Belfast Health and Social Care Trust	23/03/2018
Northern Health and Social Care Trust	23/03/2018
Western Health and Social Care Trust	23/03/2018

With regards to the date that the penalty was paid, the Department for Business, Energy and Industrial Strategy (BEIS) does not hold this information. You may wish to resubmit your request

to HM Revenue and Customs (HMRC) who may hold the information you requested. HMRC can be contacted via the following email address - foi.request@hmrc.gov.uk.

- 2. Please provide a copy of all communications issued from the Department for Business Energy and Industrial Strategy (BEIS) to the 6 HSCNI bodies indicating they were to be included in a forthcoming Naming and Shaming List*

The Department for Business, Energy and Industrial Strategy (BEIS) records show that the 6 HSCNI bodies referenced in this request received letters relating to the Naming Scheme based on the enclosed templates.

Appeals Procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to the Information Rights & Records Unit. It would be helpful if you can tell us why you are dissatisfied with the response to your request so we may address this during the internal review.

Information Rights & Records Unit
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET
Email: FOI.Requests@beis.gov.uk

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Complaints can be made to the Information Commissioner via their website at: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>.

Yours sincerely,

National Minimum Wage Team