



Sole trader/Company/
Partnership name
Trading Name
Address Line 1
Address Line 2
Town
County
Postcode

T [REDACTED]
E [REDACTED]
W www.gov.uk/beis

DATE

Dear Sir/Madam,

National Minimum Wage Naming Scheme – Department for Business, Energy & Industrial Strategy (BEIS)

You may have received previous correspondence from BEIS on the matter of the Naming Scheme, due to the fact the Naming Scheme was paused while the government undertook a review of its effectiveness. This review has now been completed. The full details of the outcome of the review are available in section 5 of “National Minimum Wage Law: Enforcement” (available at: <https://www.gov.uk/government/publications/enforcing-national-minimum-wage-law>).

Following the review, we are no longer naming employers where the arrears are £500 or less and there have been no previous breaches in the last six years.

In assessing arrears for this purpose, we have also decided to discount certain arrears arising from employers deducting administration fees in respect of attachment of earnings (AoE) orders. This discounting will operate by reference to the date the updated enforcement policy referenced above was published (11th February 2020), as follows.

- Arrears will only be discounted where they have been fully repaid by 11th February 2020.
- Arrears that arose before 11th February and were not fully repaid by that date, or arrears which arose after 11th February, will be taken into account in full in assessing whether the threshold for naming is met.

This letter is to inform you that due to these changes in the criteria your business is no longer under consideration to be named under the National Minimum Wage Naming Scheme via a BEIS press release.



This correspondence only relates to case number: **NUMBER**. If you have any separate cases with HMRC, those cases may still proceed to be considered for naming in due course, if they meet the criteria for being considered for naming.

You are not required to do anything in response to this letter.

Yours sincerely,
National Living and Minimum Wage Team



Your personal data

If you provide us with any personal data, this section explains how it may be used and sets out your rights.

1. The identity of the data controller and contact details of our Data Protection Officer

The data controller is the Department of Business, Energy and Industrial Strategy (BEIS). The Data Protection Officer can be contacted by phone at [REDACTED] or by email to [REDACTED]

2. What BEIS will use personal data for

Any personal data will only be used by BEIS for the purposes of the national minimum wage (NMW) naming scheme.

3. Our legal basis for processing your personal data

Under article 6(1)(e) of the General Data Protection Regulation 2016/679 (GDPR), BEIS may, as a government department, process personal data as necessary for the effective performance of a task carried out in the public interest, which in this case is the NMW naming scheme. Where the processing involves special categories of data such as about personal health (as defined in the GDPR) our legal basis is provided by article 9(2)(g): the processing is necessary for reasons of substantial public interest, namely the NMW naming scheme.

4. Sharing your personal data

We will not routinely share any personal data you provide to us with HMRC or other government departments, but may do so occasionally to check its accuracy against records they hold.

We will publish names of employers, including those trading as individuals, in accordance with the NMW naming scheme policy set out at section 5 of "National Minimum Wage Law: Enforcement", which is available at: <https://www.gov.uk/government/publications/enforcing-national-minimum-wage-law>.

5. How long we will keep your personal data

Your personal data will be held for 12 months after the naming scheme round you provide it for. After this it will be deleted within the following 6 months as part of our periodic deletion programme.

6. Your rights, e.g. access, rectification, erasure

You have considerable say over what happens to your personal data (see ico.org.uk). You have the right:

- a. to see what data we have about you
- b. to ask us to restrict the way we use your data, but keep it on record
- c. to have all or some of your data deleted or corrected
- d. to object to our use of your data
- e. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at ico.org.uk, or telephone 0303 123 1113.

7. Further points



Department for
Business, Energy
& Industrial Strategy

Your personal data:

- will not be sent overseas
- will not be used for any automated decision making
- will be stored in a secure government IT system.