



Department for Business, Energy & Industrial Strategy

National Living and Minimum Wage team
Department for Business, Energy &
Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Mr Ed Ward-Robb
request-740816-ed11015@whatdotheyknow.com

T +44 (0)20 7215 5000 - Public enquiries
+44 (0)20 7215 6740 - Textphone (*for
those with hearing impairment*)
E foi.requests@beis.gov.uk

www.gov.uk/beis

Our ref : FOI2021/09393

05 May 2021

Dear Mr Ward-Robb,

Thank you for your email of 24th March where you requested the following information:

Following is an extract from an emailed letter dated 29 May 2018 sent from the Department of Health (NI)'s Director of Workplace Policy (acting) to the NMW Naming & Shaming Team within BEIS

"I refer to the letter from HMRC of 17 May 2018. We note that the NI Blood Transfusion Service has been found to be in breach of National Minimum Wage law due to late payment of the correct rate of the National Living Wage to certain employees from April 2017. We are grateful for HMRC's confirmation that affected workers have been paid their arrears of pay and that they are receiving the correct rate. We wish to make the following representations, and would be grateful if BEIS could consider these in deciding whether to name the NI Blood Transfusion Service under the NMW Naming Scheme."

On the basis that NI Blood Transfusion Service was not listed by BEIS as one of the 139 Rogue Employers can it be assumed a decision was made to exclude NI Blood Transfusion Service from the published list.

On that basis please provide copies of any/all communications arising following receipt of the emailed letter of 17 May 2018.

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).

On 29 May 2018, the Department for Business, Energy and Industrial Strategy (BEIS) received an email from the Northern Ireland Blood Transfusion Service (NIBTS) including an attached letter from the Department of Health (NI)'s Director of Workplace Policy (acting). BEIS records

show that an email response was sent to NIBTS acknowledging receipt of their email and attached letter. We have enclosed a copy of this email.

In July 2018, the National Minimum Wage Naming Scheme was paused for a review. On 11 February 2020, the Government announced that the naming scheme would resume on a revised basis. Changes to the scheme included increasing the minimum arrears threshold over which employers will be considered for naming from £100 to £500 (with exceptions as set out at 5.3.3 of the 'National minimum wage law: enforcement' policy paper).

More details about the Government's review of the naming scheme can be found at the below pages.

Press release:

<https://www.gov.uk/government/news/naming-employers-who-fail-to-pay-minimum-wage-to-be-resumed-under-revamped-rules>

'National minimum wage law: enforcement' policy paper:

<https://www.gov.uk/government/publications/enforcing-national-minimum-wage-law>

BEIS records show that on 14 February 2020, following the review, a letter was sent to NIBTS advising them that they were no longer under consideration to be named under the National Minimum Wage Naming Scheme. We have enclosed the template that was used to send this letter.

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 Living and Minimum Wage team