



HOUSE OF COMMONS

LONDON SW1A 0AA

Ms Jo Swinson MP
Parliamentary Under Secretary of State
for Employment Relations and Consumer Affairs
Department for Business, Innovation and Skills
1 Victoria Street
London
SW1H 0ET

Our Ref: DE/SMIT01055/01150026

06 January 2015

Dear Minister,

REQUEST TO MEET TO DISCUSS HMRC NATIONAL MINIMUM WAGE ENFORCEMENT ACTION IN THE CARE SECTOR

We are writing to you following the Westminster Hall Debate on 5th November. As you will be aware, the National Audit Office have stated that between 160-220,000 care workers are not in receipt of the National Minimum Wage.

We welcomed the previous investigations by HMRC between 2011 and 2013, which found that 50% of care providers investigated were not paying their staff the NMW. Despite, however, uncovering widespread levels of non-compliance with the National Minimum Wage in the sector, no further proactive investigations have been carried out.

You will have seen that Health Minister Norman Lamb said at the conclusion of the recent Westminster Hall Debate on care workers, in response to requests from various MPs and the Shadow Care Minister, for HMRC to carry out proactive inspections in the sector:

“I repeat that I have requested that that themed work should start again. As he will understand, I do not have responsibility for HMRC. However, I have made that request and I will continue to push for that themed work to happen. Where it seems that there is clear evidence that a problem is endemic in a sector, we ought to be prepared to focus on it.”

We would, therefore, like to ask whether your Department will now be asking HMRC to recommence proactive investigations into compliance with the National Minimum Wage in the care sector and, if so, when will these investigations start?



We would also very much like to request to meet with you to discuss how BIS, in tandem with HMRC, the Department of Health and Department for Communities and Local Government, can ensure that care providers operate within the law and that all care workers are legally paid.

In addition, we would like to discuss the fact that only complaints from individual care workers to the Pay and Rights Helpline will be investigated by HMRC, which means many will be too intimidated to make that call. We believe that referrals from trade unions, law centres and CABs should be accepted and investigated.

We hope that you will be able to prioritise a meeting on this matter, given its importance to the care workers concerned and the fact that the Government Care Minister has specifically requested to see proactive investigations into the care sector take place again. Please, in the first instance, ask your office to liaise with Steve Barwick (s.barwick@connectpa.co.uk) if you have any questions or to suggest a date.

Yours sincerely,

Rt. Hon. Andrew Smith MP

Dave Anderson MP
Rt. Hon. Sir Alan Beith MP
Paul Blomfield MP
Ronnie Campbell MP
Ian Davidson MP
Mark Durkan MP
Rt.Hon. Frank Field MP
Roger Godsiff MP
Kelvin Hopkins MP
Julian Huppert MP
Rt. Hon. Tessa Jowell MP
Caroline Lucas MP
Jim McGovern MP
Sandra Osborne MP
John Robertson MP
Chris Ruane MP
Joan Walley MP
Sammy Wilson MP

Hugh Bayley MP
Clive Betts MP
Rt. Hon. David Blunkett MP
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Chris Williamson MP
Mike Wood MP