



**HM Revenue
& Customs**

**Customer Operations
Complaints Service**
Churchgate
New Road
Peterborough
PE1 1TD

Phone
Monday to Friday 08.30 to 17.00

Fax 01733 866152

www.hmrc.gov.uk



Date 3 November 2010

Our ref

Dear Mrs

I have been asked by Lesley Alcock, the Senior Manager (Customer Complaints), to review the underpayments of tax that have arisen for 2008-2009 and 2009-2010.

Let me say first of all that I am very sorry for the inconvenience and any worry that has been caused by the tax calculations that we sent you for 2008-2009 and 2009-2010. We have not dealt with your tax affairs very well.

I have reviewed the information held on your tax record and I believe that we should not ask you to pay the tax underpaid for 2008-2009 and 2009-2010 which totals [redacted]. We will not therefore be asking you to pay this money and have noted our records accordingly. We have a provision called Extra Statutory Concession A19 which, under certain circumstances, we can waive tax underpaid if the conditions of the concession are met. I believe that the conditions are met and there are two reasons for this.

The first is that we were aware that you were in receipt of taxable Incapacity Benefit but we failed to make timely use of this information in working out the PAYE code number to be used by NHS Paymaster. As a result because we failed to include a restriction in your code number to collect the tax due an underpayment of tax has arisen. We sent you tax calculations showing that you were underpaid tax of [redacted] for the two years 2008-2009 and 2009-2010. Our failure to take into account your Incapacity Benefit when we worked out your PAYE code number was a mistake on our part.

The second reason why I believe that we should not ask you to pay the tax underpaid for 2008-2009 and 2009-2010 is that I believe that it was reasonable for you to believe that your tax affairs were in order as we had not sent you any notices of PAYE code numbers for a number of years. As a result I believe that it was reasonable for you to believe that we had taken all your income into account in arriving at your tax deductions with the NHS Paymaster.

Information is available in large print, audio and Braille formats.
Text Relay service prefix number – 18001



Operational Manager (Customer Complaints) Beverly Pemberton:

160782 10-11 30

I understand that you wrote to us on [redacted] and following a review of your tax affairs we wrote to you and told you that the tax underpaid for 2008-2009 and 2009-2010 would have to be paid. I am sorry at this point we failed to identify that we should not have asked you to pay the tax underpaid of [redacted]

I enclose a copy of our complaints factsheet. If however you feel that I have not addressed your complaint in line with our policies and procedures you can write to the Operational Manager who will arrange for a further review of your complaint by a separate team. If you wish to do this, please supply full details to: The Operational Manager, HM Revenue and Customs, Customer Operations Complaints Service, Yorke House, Castle Meadow Road, Nottingham, NG2 1BG.

Once again I am very sorry for the inconvenience and any worry caused by the tax calculations that we sent you. I hope that we can give you a better standard of service in the future and that your tax affairs run more smoothly.

Yours sincerely

[redacted]

[redacted]
Technical Adviser

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