

Compliance checks – Requests for information and documents

Every year we carry out checks to make sure that our customers are paying the right amount of tax and receiving the right allowances and tax reliefs. These are called compliance checks. This factsheet is about what happens when we ask you for information or documents during a check.

Which information and documents we can ask for

We will start our check by asking you for certain information and documents that relate to the area we are checking. We will also contact your adviser, if you have one. We may need to ask for more information and documents as the check continues. Please see www.hmrc.gov.uk/about/new-standard-systems.htm for further information on recordkeeping.

If we ask you to give us information or documents, and you choose not to, we will tell you what your rights are and what will happen next. It will help the check to end sooner, and take up less of your time, if you give us what we ask for. If you cannot do this, please tell the officer dealing with the check as soon as possible.

If you think that something we have asked for is unreasonable or not relevant to the check, please tell the officer dealing with the check. They will consider your reasons carefully and if they still think they need it, they will tell you why.

Any information you give us must be correct as far as you know. If you alter documents or give us information that you know is wrong, you may have to pay a penalty or you may be prosecuted.

What happens if we send you an information notice

Sometimes we may ask you for information or documents by sending you an 'information notice'. This legally requires you to give us what we've asked for.

If you do not give us everything that the information notice asks for, you may have to pay one or more of these penalties:

- a £300 standard penalty for not giving us everything we have asked for
- up to £60 a day for every day that we do not receive everything we have asked for
- a penalty based on the amount of tax we think is due to us. This kind of penalty must be authorised by the independent tribunal that deals with tax.

Please tell us if you have a reasonable excuse for not giving us information or documents, for example:

- you have been seriously ill
- someone close to you has died
- you have lost the documents in a fire or flood.

If we agree that your excuse is reasonable, we will not charge you a penalty but we will still ask you for the information, documents (or replacement documents) to be provided as soon as possible.

If we send you an information notice but you think that the request is unreasonable or not relevant to the check, you can appeal to the independent tribunal that deals with tax appeals. We will tell you how to do this.

If you need help

If you have any questions, please contact the office that wrote to you. You can find a list of our helplines on the HMRC website and click on 'Contact us' or use the numbers listed in your local telephone directory under HM Revenue & Customs.

Don't stop making returns and payments

During the compliance check, please carry on making returns and payments when they are due.

Benefits and credits

If you are receiving any benefits, fees or grants that are based on your income, you may need to let the organisation that is paying you know if your income changes as a result of this check.

Access for everybody

Please let us know if you might need extra help to deal with this check, for example, if:

- English is not your first language
- you would like us to use a certain format to communicate with you
- you would like us to visit you at home because it is difficult for you to get to an Enquiry Centre.

For details, please visit

www.hmrc.gov.uk/enq or contact the officer dealing with your check to get further help.

What if you are unhappy with our service

If you are unhappy with our service, please contact the person or office you have been dealing with. They will try to put things right. If you are still unhappy, they will give you information about how to make a complaint.

This factsheet covers:

- Capital Gains Tax
- Construction Industry Scheme
- Corporation Tax
- Income Tax
- National Insurance contributions
- National Minimum Wage
- PAYE
- Statutory Adoption Pay
- Statutory Maternity and Paternity Pay
- Statutory Sick Pay

What to do if you disagree

When we make a decision that you can appeal against, we will write to you, explain the decision and tell you what you need to do if you disagree. You will usually have three options. Within 30 days you can:

- send new information or arguments to the officer you have been dealing with
- have your case reviewed by a different officer **or**
- arrange to have your case heard by an independent tribunal.

You cannot appeal against an information notice that asks for information or documents that are part of the statutory tax, National Insurance or VAT records that you legally have to keep.

We may ask the independent tribunal in advance for authority to send you an information notice. If we do this, you will have the opportunity to let us know your concerns before we approach the tribunal. If the tribunal grants us the authority, you cannot appeal against the information notice.

You can find more about this in factsheet HMRC1 *HM Revenue & Customs decisions - what to do if you disagree*. You can get this factsheet by:

- downloading it from our website at www.hmrc.gov.uk/factsheets/hmrc1.pdf **or**
- phoning the Revenue and Customs orderline on **0845 900 0404**.

Asking other people for information about you

Sometimes we may need to get information from other people to help with the check. In most cases, we will ask for your permission before we do this. If you do not want to give us permission, please tell us why.

If we still need to contact someone else, we will ask for approval from the independent tribunal that deals with tax. If this happens, you can ask the tribunal not to give approval.

In exceptional circumstances, we may need to contact someone else without telling you. To do this, we have to get approval from the independent tribunal.

If we ask other people for information, we will not reveal any more about you than is necessary to get the information we need.

- Student Loans
- VAT

This factsheet is one of a series:

CC/FS1 *General information*

CC/FS2 *Requests for information and documents*

CC/FS3 *Visits - Pre-arranged*

CC/FS4 *Visits - Unannounced*

CC/FS5 *Visits - Unannounced - Tribunal approved*

CC/FS6 *What happens when we find something wrong*

CC/FS8(T) *Help and advice*

These can be found at

www.hmrc.gov.uk/about/new-compliance-checks.htm

HMRC1 *HM Revenue & Customs decisions - what to do if you disagree*

You can get this factsheet at

www.hmrc.gov.uk/factsheets/hmrc1.pdf

or by phoning the Revenue and

Customs orderline on 0845 900 0404.

These notes are for guidance only and reflect the position at the time of writing. They do not affect any right of appeal.

Customer Information team

April 2009 © Crown Copyright 2009