

Compliance checks – Help and advice

What is a compliance check?

A compliance check is a review of your tax affairs to make sure that you are paying or claiming back the right amounts of tax. It can apply to Income Tax, Capital Gains Tax, Corporation Tax, PAYE, National Insurance Contributions, VAT, the Construction Industry Scheme and Student Loans.

We can carry out a check and correct your tax position whether or not you have received a tax return.

Starting a check

We will let you know what we are checking and why.

We will also tell you what information or documents we need to help us to understand your figures.

We will give you a reasonable period of time to provide this information or these documents and we will tell you what will happen if you don't give them to us in the time allowed.

You can ask for us to reconsider a request for information if you think we are being unreasonable or if you have difficulty providing it.

If you have a tax adviser acting on your behalf we will write to them asking for the information we need. We will send you a copy of our letter.

How to help the check go smoothly

You do not have to co-operate with the check, but if you do it will help us to finish it quickly, and with the minimum of inconvenience to you. If we find something wrong during our check the extent to which you co-operated may affect the amount of any penalty we charge.

What happens if you choose not to reply

If you do not reply to our request for information or documents we may send you a notice that legally requires you to give us what we need. If you still do not reply, you may have to pay penalties.

We may assess the duties we think you owe on the basis of the information available to us. If we do this we will send you details of those duties and of any interest and penalty charges.

Stopping the check

If we are checking your Self Assessment return you can ask us to stop. If we do not agree, you can ask the independent tribunal to consider your request. They will tell us if we have to stop or if we can continue.

What happens when the check is complete

We will end the check when we have decided that your tax return or your tax position is accurate, and that any errors have been corrected.

We will tell you:

- that we have finished our check
- what our conclusions are, and
- if your tax return or tax position needs to be amended.

If you disagree with our conclusions or amendments you can appeal.

If we find that you owe us tax, we will charge you interest from the date you should have paid it. You may also have to pay a surcharge and penalties. We will tell you what payment options you have.

If we owe you any tax we will tell you how this will be dealt with.

If you receive tax credits and our check suggests they may be incorrect your tax credits award will be reviewed.

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.

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.

Your rights

In all our dealings with you we will follow our service commitment. If you received a tax return this can be found in the Tax Return Guide we sent to you. You can also find it on our web site at

www.hmrc.gov.uk/about/service.htm

You can get our leaflets from your local HM Revenue and Customs office. You can also find them at www.hmrc.gov.uk/thelibrary

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

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