HMRC complaints

Management of taxes

01 November 2017

How HMRC plan to improve the complaints system

After the publication of the Adjudicator's report this summer showing that the percentage of complaints upheld against HMRC has fallen significantly from 73% in 2015/16 to 41% in 2016/17, you could be forgiven for thinking that HMRC might rest on its laurels. Not so. At the end of August they held a workshop with voluntary sector representatives both to pass on information about changes within HMRC, but more importantly to gain feedback as to what they might do better and how they might learn better from complaints.

HMRC structure and procedures

A complaints team in Tier 2, separate from Tier 1, now handles complaints cases that cannot be resolved at Tier 1. These can be cases that arrive in the post, on the phone or via a complaints i-form. The team are well aware that searching on GOV.UK may not make it easy to identify how to make a complaint and are negotiating to try to have that customer journey made clearer. In the meantime staff, and the voice recognition service, are being encouraged to recognise complaints, even when the taxpayer does not actually use the word 'complain'.

HMRC are going to be analysing data to find out which groups are most and least likely to complain – and, in particular, why some people fail to complain when they may have a valid case. While a complaint on an i-form may remove the anxiety over having to speak to the organisation about which you are complaining, a significant number of people do not have access to the i-form as this must be accessed through a Personal Tax Account.

As well as dealing with complaints, HMRC know that stopping complaints arising in the first place would represent a huge 'win' for the department – and are embarking

on training for both new and established staff, both technical training but also personal skills training since some complaints are not about the technical outcome, but instead about how they were treated.

Interaction with the Adjudicator

Taxpayers can only escalate their complaint to the Adjudicator once it has already been dealt with by Tier 1 and Tier 2 at HMRC. It is disappointing to note that a disproportionate number of complaints that reached the Adjudicator in the last year are from disabled people.

The Adjudicator is completely independent of HMRC and requests information from both parties to the complaint before making a decision. HMRC are advised of the decision and then take steps to implement it. Last year the Adjudicator spent some time reviewing cases with HMRC to ensure that any themes were used for learning purposes.

How best to complain

It was agreed it would be helpful to have top tips for complaining easily available. These included quoting an NI number; stating clearly what the complaint is about; referring to previous conversations and/or advice given, quoting times of calls and dates of letters. The i-form ensures that this information is captured and it was suggested that HMRC might make an i-form available for download and completion to make things easier for the complainant.

A complaint may be upheld in whole or in part, leading to a change in tax liability – or where the complaint is more about how the case was handled, the taxpayer may be offered some financial compensation for the number of times they have had to contact HMRC, for example.