

# Members' Briefing

## REVENUE & CUSTOMS GROUP

To: **All Members**

cc: **Branch Secretaries, Group Executive Committee, Equality Chairs, VOAC** (for info)

Can this Briefing be circulated via HMRC IT systems: **YES** Website: **YES**

Action to be taken: **For the attention of all members**

Date: **28 FEB 2022**

Ref: **R&C/MB/009/22**

### **PCS Serves Union Inspection Notice on HMRC**

- *Formal health and safety notice served on HMRC Chief Executive*
- *Concerns expressed over consultation and risk assessment*

#### **Union Inspection Notice (UIN)**

PCS has this week served a Union Inspection Notice on Jim Harra, HMRC Chief Executive, outlining our concerns with the consultation and engagement process around risk assessments in relation to returns to the office. The UIN is a tool available to unions to formally lodge concerns where there are believed to be failures in following health and safety legislation. Issuing a UIN requires a formal response to be given and actions put in place to resolve the concerns PCS has identified and escalated.

#### **Health and Safety Concerns**

The UIN has identified six areas of legislation which have potentially been breached. These include the requirement to consult safety representatives "in good time" and to provide information relating to health and safety, the requirement to record significant findings of a risk assessment and identify those especially at risk, and to provide information to employees of the risks to their health and safety. PCS will be further discussing these concerns with HMRC and will continue to act in the best interests of members' safety.

#### **Join PCS today**

If you've read this briefing and you aren't yet a member of PCS, then [join today](#).

#### **Get involved!**

Remember, HMRC applies restrictions on the content of union circulars distributed using the department's email system, so make sure that you stay in touch with your union. You can find your membership number in your latest email digest from PCS.

If you haven't already done so, let PCS have your personal/non-work email address and your mobile phone number. We'll only use it to keep you informed about PCS matters. You can update your details securely online by registering for [PCS Digital](#) or by contacting your local PCS rep, and asking them to enter your details securely on the PCS Organising App.

**Adam Smith**  
**Assistant Group Secretary**

If you require this publication in any other format such as Braille or large print please contact the Group Office at [RCGroup@pcs.org.uk](mailto:RCGroup@pcs.org.uk) or call 0151 298 3900

# PCS REVENUE & CUSTOMS GROUP

## Health & Safety Union Inspection Notice

**Date:** 22/02/2022... **UIN reference:** RCHS122..... **PCS Branch:** Group Executive Committee...

**To:** Jim Harra..... **Business stream:** HMRC Chief Executive.....

I, Adam Smith, appointed as the Public and Commercial Services Union (PCS) Group Health and Safety Lead, with powers under the Safety Representatives & Safety Committees Regulations 1977 (SRSC), believe that you as an employer are contravening the following statutory provisions:

- Safety Representatives and Safety Committees Regulations 1977 4A (1)(a)
- Safety Representatives and Safety Committees Regulations 1977 4A (1)(c)
- The Management of Health and Safety at Work Regulations 1999 3 (6)(a)
- The Management of Health and Safety at Work Regulations 1999 3 (6)(b)
- The Management of Health and Safety at Work Regulations 1999 10 (1)(a)
- The Management of Health and Safety at Work Regulations 1999 10 (1)(b)

The reasons for my opinion are as follows:

- Repeated instances where consultation and engagement is not occurring in compliance with the legislative “in good time” requirement. Information has been published previously ahead of circulation to TUS or very shortly before publication, resulting in seemingly finalised guidance being prepared without TUS input. Information has also been shared in relation to risk assessment revision advising there was to be no LTUS consultation or no LTUS consultation to take place at that time. Information is also shared or discussed with the Building Management Network without prior consultation or even notification to TUS.
- Risk assessment templates are not being amended to include risks identified by LTUS in relation to the removal of COVID-19 safety measures within HMRC workplaces. There has also been no clear indication within the risk assessment process to identify additional safeguards which may be required within HMRC workplaces for those who may be especially at risk.
- HMRC are not providing comprehensible and relevant information on the risks to health and safety being identified during the risk assessment process, for example around returns to the workplace. While a risk assessment template may be reviewed locally, in addition to Working Safely Together Guides, this information is not being provided, only made accessible.

I hereby request you to remedy (or to have commenced remedy) of the said contraventions or, as the case may be, the matters occasioning them, by Monday 28<sup>th</sup> February 2022.

In order to do this the following action should be taken:

- A commitment to consistently consult and engage “in good time”, and to proactively provide related information, around any measure which could have a potential impact on health, safety, or wellbeing, with further instances of non-compliance being escalated to the Health and Safety Executive (HSE) for consideration of a Crown censure, last served on HMRC in October 2007.
- All COVID-19 risk assessments to include risks identified by LTUS and adequate measures identified for mitigation in the best interests of health, safety, and wellbeing.
- Risk assessments to be actively distributed to ensure awareness of the risks and control measures.

I will be posting this notice in appropriate locations and circulating electronically so that the workforce are aware of my concerns. Should we fail to agree on an acceptable course of action, I reserve the right to escalate my concerns to the Cabinet Office and Health and Safety Executive (HSE) as appropriate.

**Signature of safety representative:**



**Name:** Adam Smith TechIOSH.... **Date:** 22/02/2022... **Position:** Assistant Group Secretary....