

HMRC

Room 3E/02
100 Parliament Street
London SW1A 2BQ

By E-Mail: Taxpayers.charter@hmrc.gsi.gov.uk

Consultation on Taxpayers Charter

Please find below the response to the above consultation from the Legal Services Commission.

Background***Who we are***

The Legal Services Commission (LSC) commissions £2b of legal aid in England and Wales. We also make sure that about 2m people a year get the information, advice, legal help and representation they need to deal with a wide range of problems.

We work in partnership with solicitors and not-for-profit organisations to provide services to help people in need. Our vision is to make sure clients can access the help they need to address their problems.

How we work with the government

We are a non-departmental public body sponsored by the Ministry of Justice (MoJ). We play a big part in helping the MoJ achieve its aims of:

- promoting justice
- protecting the public
- increasing confidence in justice
- providing access to justice for all
- upholding rights
- safeguarding and modernising our constitution.

The Lord Chancellor and Secretary of State for Justice is accountable to Parliament for our activities and performance. The MoJ agrees its overarching Public Service Agreement targets with the Treasury. We in turn set our objectives in discussion with the MoJ.

How we help

The LSC runs the legal aid scheme, which safeguards some of society's most vulnerable and disadvantaged people. Legal aid helps ensure access to justice by providing high quality advice, information and representation to people who would not otherwise be able to afford it.

It means clients can protect their rights by:

- getting early advice
- being able to defend themselves if accused of a crime
- taking a case to court when this is the best way to resolve a dispute.

Community Legal Advice (CLA) is our telephone helpline (0845 345 4 345) offering free, confidential and independent legal advice. The helpline can offer legal assistance for a variety of issues including welfare benefits queries; in addition we can signpost clients to a face-to-face organisation in their locality.

Each month our helpline receives around 3,200 calls regarding welfare benefits of which approximately 25% concern tax credits; of these the most significant issue is one of dispute over payments.

Consultation Responses

For several of the consultation questions, the LSC is not placed to offer a view. Those where we have suggestions to make are as follows:

Paragraph 2.20

We would encourage HMRC to publish intended response times to queries and escalation routes if these are not achieved.

Paragraph 2.22

We assume that HMRC have conducted an analysis of the causes of complaints received and from those cases and reports published by the Parliamentary Ombudsman. It would be helpful to have a clear statement of intended actions to prevent reoccurrence of these issues.

Paragraph 2.23

We would encourage HMRC to use 3 way telephone conferences (HMRC, Community Legal Advice and client) to quickly resolve issues. HMRC have previously taken a position that all disputes must be conducted in writing and that e-mail is not an acceptable channel. This significantly increases transaction costs for both of us and slows down resolution for clients.

Paragraph 2.24

It would be helpful to have clear statements as to how HMRC will ensure that clients are correctly advised when they have rights of appeal and that clients are signposted to independent organisations including CLA; such documents for

clients should be reviewed by the Plain English society¹. We would also encourage HMRC to conduct customer satisfaction surveys both from those who do and do not raise disputes with you.

If you have any queries about the contents of this response please do not hesitate to contact my office.

Yours sincerely

Carolyn Regan
Chief Executive
Legal Services Commission

¹ Where appropriate, HMRC should ensure that documents perused by clients are also written in plain Welsh.