

## 1. Civil penalties for employers in Scotland from 2008 to 2013

All illegal working enforcement visits are intelligence led; there are however occasions where visits take place where no illegal working will be encountered. In addition there are occasions where a visit has taken place, but employers can subsequently demonstrate they have established a statutory excuse by conducting pre-employment document checks. In this situation a Notification of No Liability (NONL) is issued instead. You should also be aware that these are not cohort based statistics and correlation should not be made between any of the values.

<b>Year</b>	<b>Number of illegal working enforcement visits</b>	<b>Number of workers arrested on illegal working visits</b>	<b>Number of Civil Penalties issued (single penalty could include more than one worker)</b>	<b>Gross Value of Initial Penalties</b>
<b>2008-2009</b>	352	295	102	£1,000,000
<b>2009-2010</b>	255	228	143	£1,500,000
<b>2010-2011</b>	322	324	158	£1,500,000
<b>2011-2012</b>	333	271	85	£738,000
<b>2012-2013</b>	387	222	93	£729,000
<b>2013-2014 (up to 30.06.13)</b>	286	255	31	£255,000

The figures provided are sourced from a Home Office management information system which is not quality assured under National Statistics protocols and is subject to change due to internal data quality checking. Figures provided from this source do not constitute part of National Statistics and should be treated as provisional.

## 2. Nationally Issued Civil penalties for the period February 2008 to June 2013

Year	Number of Civil Penalties issued	Gross Value of Initial Penalties	Collected
2008-2009	1722	£16,700,000	£1,300,000
2009-2010	2339	£23,200,000	£4,400,000
2010-2011	1898	£17,100,000	£6,900,000
2011-2012	1341	£11,400,000	£6,500,000
2012-2013	1269	£10,800,000	£6,300,000
2013-2014 (up to 30.06.13)	355	£2,800,000	£1,300,000

The information provided above relates to initial penalties served and their values. These are subject to change as penalties may be reduced or cancelled after consideration of objection and/or an appeal. Therefore the value of collectable penalties is subject to change.

Under the civil penalty regime employers have the right to submit grounds of objection against the imposition of the penalty within 28 working days and also have the opportunity to lodge an appeal against the penalty decision to a County Court. The objection and appeal process provide employers with the opportunity to submit evidence which was not available during the visit to the premises and at the time the case was considered by the Civil Penalty Compliance Team.

When seeking to recover payment of the penalties issued, employers may be identified as no longer trading, e.g. a limited company goes into liquidation or is dissolved or a sole trader files for bankruptcy, which will affect the value of penalties received.

Employers may also apply for a pre-agreed instalment payment plan of up to a 24 month period when paying the penalty. Due to employers taking up an instalment agreement the full value of the penalty will not be received until the end of their payment plan which may be in the proceeding years.

We vigorously pursue all unpaid penalties and where all reasonable attempts have been made to recover penalties these debts are referred to third party debt recovery specialists to pursue the debt. Their action includes court action and subsequent enforcement to recover the debt.

### 3. Business Type Breakdown – Scotland Cases

<b>Financial year and Business type</b>	<b>Number of Penalties issued</b>	<b>Value of Penalties</b>
<b>2008/9</b>	<b>102</b>	<b>£1,003,750</b>
Carwashes	1	£5,000
Factories	1	£5,000
Garage	1	£22,500
Restaurants and Takeaways	85	£871,250
Retail Small Shops	11	£80,000
Retail Supermarkets	2	£15,000
Security guards	1	£5,000

<b>Financial year and Business type</b>	<b>Number of Penalties issued</b>	<b>Value of Penalties</b>
<b>2009/10</b>	<b>143</b>	<b>£1,537,500</b>
Carwashes	2	£20,000
Factories	1	£15,000
Food Production	1	£5,000
Restaurants and Takeaways	122	£1,390,000
Retail Small Shops	12	£85,000
Retail Supermarkets	1	£5,000
Security guards	4	£17,500

<b>Financial year and Business type</b>	<b>Number of Penalties issued</b>	<b>Value of Penalties</b>
<b>2010/11</b>	<b>158</b>	<b>£1,542,500</b>
Garage	2	£10,000
Health & Beauty	2	£15,000
Hotels/Night Clubs	1	£15,000
Laundry	1	£15,000
Restaurants and Takeaways	119	£1,250,000
Retail Small Shops	26	£197,500
Retail Supermarkets	5	£30,000
Warehouses	2	£10,000

<b>Financial year and Business type</b>	<b>Number of Penalties issued</b>	<b>Value of Penalties</b>
<b>2011/12</b>	<b>85</b>	<b>£737,500</b>
Entertainment	2	£15,000
Food Production	1	£15,000
Furniture Stores	1	£5,000
Health & Beauty	2	£40,000
Hotels	2	£30,000
Restaurants and Takeaways	59	£527,500
Retail Small Shops	16	£95,000
Retail Supermarkets	2	£10,000

<b>Financial year and Business type</b>	<b>Number of Penalties issued</b>	<b>Value of Penalties</b>
<b>2012/13</b>	<b>93</b>	<b>£728,750</b>
Carwashes	3	£30,000
Health & Beauty	6	£55,000
Hotels	1	£2,500
Restaurants and Takeaways	62	£520,000
Retail Small Shops	20	£116,250
Retail Supermarkets	1	£5,000

<b>Financial year and Business type</b>	<b>Number of Penalties issued</b>	<b>Value of Penalties</b>
<b>2013/14 (Up to 31 August 2013)</b>	<b>53</b>	<b>£418,750</b>
Carwashes	2	£10,000
Restaurants and Takeaways	43	£345,000
Retail Small Shops	8	£63,750

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