



UK cities, towns and districts standing up for responsible tax conduct

We recognise that:

Paying tax is often presented as a burden, but it shouldn't be. Not when considered against the huge array of public services it helps fund – from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

The pressure on organisations to pay their fair share of tax has never been stronger. For example, polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct. In recent years, HMRC has done much to clamp down on tax avoidance and evasion – but many in the tax justice movement think more needs to be done. It's been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.

As recipients of significant public funding, local councils should, as far as they are legally able to, play their part in the promotion of exemplary tax conduct; including that contractors pay their proper share of tax.

Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and accredited businesses include listed PLCs, co-operatives, social enterprises and large private business. Social enterprises and co-operatives have been early pioneers of the Fair Tax Mark, and fit especially well with the pursuit of social value in public procurement.

In recent polling, two thirds of people (66%) believe the Government and local councils should at least consider a company's ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies. At the same time, research has found that around 17.5% of public contracts in the UK have been won by companies with links to tax havens.

Councils wanting to penalise poor corporate tax conduct and reward good tax conduct when buying goods and services are significantly constrained by UK legislation. The rules rightly allow councils to exclude supplier businesses for proven tax offences, but the grounds for exclusion are narrow and rarely triggered in practice. Restrictions prevent councils from specifying 'responsible tax' as a contract award criteria, e.g., a policy shunning the artificial use of tax havens, as 'tax' cannot be linked straightforwardly to the subject matter of a contract.

As Government rewrites the UK's procurement rules it can further strengthen efforts to combat corporate tax avoidance, ensure fair competition for UK businesses small and large, and bolster efforts to drive out corruption, by explicitly permitting 'responsible tax conduct' criteria in the award of public contracts alongside other social value criteria, and requiring robust public disclosure of who owns and controls overseas and UK supplier firms.

UK cities, counties and towns can and should stand up for responsible tax conduct.

We pledge to:

1. Submit a Motion to full Council recommending that the Council resolve to approve Councils for Fair Tax Declaration.
2. Lead by example and demonstrate good practice in our tax conduct right across our activities. Including:
 - Ensuring IR35 is implemented robustly, and a fair share of employment taxes are paid by contractors.
 - As far as we can, the Council will not make use of offshore vehicles for the purchase of land and property for tax avoidance purposes.
 - As far as we are legally and practically able to, undertake reasonable due diligence to ensure that not-for-profit structures are not being used by parent companies, holding companies or similar, as a device for tax evasion purposes or to unlawfully avoid the payment of business rates.
 - The Council, when undertaking procurement (exceeding the thresholds prescribed in the legislative framework), will as far we are reasonably able to, require tendering organisations to state whether they have met all their obligations relating to the payment of taxes or social security contributions, both in the UK and in the country in which the organisation is established (if outside the UK).
3. Promote Fair Tax Mark accreditation, especially to any business in which we have a significant stake and where corporation tax is due.
4. Join in and support Fair Tax Week events in the area and celebrate the tax contribution made by responsible businesses that are proud to promote responsible tax conduct.
5. Support calls for reform of UK procurement law to enable local authorities to revise their procurement policies and discourage poor tax conduct and reward good tax conduct amongst suppliers.

For further details contact the Fair Tax Foundation. local@fairtaxmark.net

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www.fairtaxmark.net/councils-for-fair-tax/

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The Fair Tax Mark accreditation scheme was launched in 2014 and seeks to encourage and recognise organisations that pay the right amount of corporation tax at the right time and in the right place. Tax contributions are a key part of the wider social and economic contribution made by business, helping the communities in which they operate to deliver valuable public services and build the infrastructure that paves the way for growth. Accredited businesses include listed PLCs, co-operatives, social enterprises and large private business. The Global Multinational Business Standard was launched in 2021, enabling multinationals headquartered outside of the UK to be accredited for the first time. The Fair Tax Foundation operates as a not-for-profit social enterprise and believes that companies paying tax responsibly should be celebrated, and any race to the bottom resisted.