



THE PARLIAMENTARY
OMBUDSMAN

OFFICE OF THE PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION

MILLBANK TOWER, MILLBANK, LONDON SW1P 4QP.
SWITCHBOARD 020 7217 3000, FAX 020 7217 4000, DIRECT LINE 020 7217 4181

E-mail: gwen.harrison@ombudsman.gsi.gov.uk

Mr M J Hossack
92 Granville Drive
Kingswinford
West Midlands
DY6 8LW

Our Ref: C.1719/03

29 March 2004

Dear Mr Hossack

YOUR COMPLAINT AGAINST THE BENEFITS AGENCY

1. You wrote to the Parliamentary Ombudsman on 1 March 2004 about Mr Robson's letter of 28 March 2003 about your complaint against the Benefits Agency (BA),¹ an executive agency of the Department for Work and Pensions (DWP). I am Mr Robson's manager and, as you are unhappy with his work, I have been asked to look at your case afresh. I am sorry that I have not been able to reply to you sooner.

2. I am sorry that you feel Mr Robson misconstrued your original complaint and did not give sufficient emphasis to BA's wrongful disclosure of information about your benefit claim to your wife's solicitors, Wragg & Co. I am satisfied that he did consider that matter carefully and I have looked particularly closely at that aspect of your complaint when examining your file.

3. There is no doubt that BA wrongfully disclosed information about your benefit claim to Wragg & Co. and BA have accepted that, albeit rather belatedly. The original error was maladministrative and, from the papers I have seen, it seems that BA ought to have recognised sooner that a mistake had been made. However, BA have now accepted their maladministration, apologised, and made you a consolatory payment in recognition of their poor service. Given all that, and the fact that BA cannot undo their mistake having released the information to Wragg & Co., I do not see that there is anything more that the Ombudsman can achieve for you. I appreciate that you feel that BA ought to have made you a larger consolatory payment but I do not consider their award to be unreasonable. It is not intended as damages nor

¹ Jobcentre Plus, another executive agency of DWP, now administer the work of BA relevant to Mr Hossack's complaint.

