

Ombudsman proposes investigation into Department's handling of Personal Independence Payments (PIPs)

The Northern Ireland Public Services Ombudsman has informed the Department for Communities that she is proposing, under new powers, to launch an investigation into the way the Department administers Personal Independence Payments (PIPs). The welfare benefit replaced Disability Living Allowance in June 2016.

The investigation would be the first under the Ombudsman's 'own initiative' power, which allows for an investigation to take place where there is a suspicion of systemic maladministration.

Ombudsman Marie Anderson has written to the Department's Permanent Secretary stating that since June 2016 there have been a significant number of complaints about PIPs to her Office.

She also noted the high number of the Department's decisions which have been upheld by Mandatory Reconsideration, but then overturned by an Appeal Tribunal.

Following an assessment of the Department's procedures, she stated that she was satisfied that the criteria for an own initiative investigation have been met.

Ombudsman investigations are normally only carried out on receipt of a specific complaint. However, the 'own initiative' power allows the Ombudsman to act even when no complaint has been received.

The Ombudsman has received acknowledgement from the Department that they have received notification of the proposal, and she awaits further information.

Under the terms of the Public Services Ombudsman (Northern Ireland) Act 2016, the Ombudsman must publish a report of any 'own initiative' investigation.

Notes:

The Ombudsman's 'own initiative' powers were granted in section 8 of the Public Services Ombudsman Act (Northern Ireland) 2016. They allow her to conduct an investigation if she has a reasonable suspicion that there is systemic maladministration, even if no complaint has been received.

The Ombudsman has identified the following criteria for selecting subjects for potential Own Initiative investigations:

- 1. The issue of concern has been identified by the Ombudsman to be one of public interest.*
- 2. The issue of concern affects a number of individuals or a particular group of people.*

3. The investigation has the potential to improve public services.

AND

4. The Ombudsman considers the investigation of the chosen issue is the best and most proportionate use of investigative resources.

Therefore, selection criterion 4 must always be applied, with at least one other.