

Man has thousands of pounds in benefits repaid after being wrongly told to apply for Universal Credit

An investigation by the Northern Ireland Public Services Ombudsman has led to the Department for Communities repaying over £11,000 to a man after it found poor advice caused him to lose his existing benefits.

The man, a taxi driver, said he phoned the Employment Support Centre at the Department for Communities to make a claim for benefit because he was involved in a car accident and was temporarily unable to work. He was already receiving Working Tax Credit at the time.

He said that the adviser told him he should make a claim for Universal Credit, which he did straight after the call. However, he said he was not made aware that in doing so he would automatically lose his Working Tax Credit, even if his claim for Universal Credit was unsuccessful.

When he was turned down for Universal Credit he said he was left worse off by £54 a week.

Our investigation looked to see whether the Department followed its own policies and guidance, either by referring the man to its own 'Make the Call' advice unit, to advice available online, to local independent advice services, or to the Independent Welfare Changes Helpline. The latter is a source of skilled, independent advice provided by Advice NI and funded by the Department in recognition of the complexity of welfare and tax credit changes.

We also asked for an audio recording of the conversation but discovered that although one was made at the time, it was subsequently destroyed.

On the balance of the available evidence we concluded that the relevant guidance had not been followed and that the man had been treated unfairly. We upheld his complaint.

To remedy the situation we asked the Department to make a payment to him equivalent to the Working Tax Credit he would have received, as well as provide him with an apology. His financial loss totalled £11,412.93.

We also recommended that the Department should improve the advice it gives to potential benefits claimants by making sure it gives details of other helplines which exist to help them with their claims.

Speaking about the case, Ombudsman Margaret Kelly welcomed the steps taken by the Department to prevent similar incidents from happening in the future, saying;

'The complainant in this case suffered a huge amount of stress and financial hardship through no fault of his own.

I am pleased that following my investigation the Department have acknowledged he was treated unfairly, and put in place a number of measures to reduce the risk of other people going through the same experience.'