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A handwritten signature in blue ink that reads "Richard Grennan".

Department for Work and Pensions: Consultation on sharing customer data between DWP and local authorities

Thank you for the opportunity to comment on the proposals set out in the above document.

As Parliamentary and Health Service Ombudsman (PHSO), my role is to provide a service to the public by undertaking independent investigations into complaints that government departments, a range of other public bodies in the UK, and the NHS in England, have not acted properly or fairly or have provided a poor service. We aim to help individuals who bring their complaints to my Office by providing an independent, high quality and accessible complaint handling service that rights individual wrongs. Our second key objective is to offer a wider public benefit: to share the lessons learnt from complaints to help improve the way public services are provided.

It would not be appropriate for me to comment on the policy decision to seek an extension of the data sharing powers between DWP and local authorities and their service providers; that is a matter for Parliament. However, I note that at section 3 of the consultation you have said it would be useful to have early views on the implementation of the new powers should Parliament agree to the proposals. Bearing in mind PHSO's objective to improve the way public services are provided, I will limit my comments solely to this matter and, in doing so, draw your attention to my recent report '*A Breach of Confidence*' (available at www.ombudsman.org.uk).



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'*A Breach of Confidence*' highlights the harm and unwarranted distress that can be caused by the sharing of erroneous data between public bodies. Such distress is compounded where those involved fail to accept their responsibilities and put things right. You will note that one of the government departments criticised in my report was DWP.

The handling and processing of information properly and appropriately in accordance with the law is, in my view, not just about fulfilling statutory obligations. It is a fundamental principle of good administrative practice. You state in section 3 of the consultation that, if the proposals are agreed by Parliament, you will develop new processes and guidance. Good governance is essential to gain and maintain the confidence and trust of those individuals at the heart of any new data sharing arrangements. '*A Breach of Confidence*' illustrates the need for processes for checking the accuracy of information before it is shared, for keeping an audit trail and for making sure inaccurate data is corrected by all those holding it.

One of the recommendations in '*A Breach of Confidence*' which is particularly pertinent to the issues raised in section 3 is that those agencies named agree a customer-focused protocol to deal with complaints that cross organisational boundaries and arise from the sharing of information between them, and which accords with the practices advocated by the Information Commissioner. In implementing any changes as a result of the new legislation, I would expect DWP to consider the wider learning from my report and whether similar protocols should be agreed whenever new legal gateways to the sharing of information are created.

If you would like any further information on the above, please contact my Director of Parliamentary Investigations, Gwen Harrison on 0300 061 4181.

Yours sincerely



Ann Abraham
Parliamentary and Health Service Ombudsman