

SUMMARY

- Late 2007 Numerous requests from LCC for benefit details were actioned - it was thought that authority stencil signed by customer was sufficient.
- 6.3.08 Article on the front page of Lancashire Evening Post about Firemen having to pay back thousands of pounds due to not declaring to LCC the DWP benefits they were receiving.
- 3.4.08 E-mail sent to Linda Gilroy from [REDACTED] querying why he had received details of benefits paid to him when he had not requested it. This was because he had not signed authority to give the information to LCC, therefore the information was sent to him directly for him to pass to LCC if he chose to do so.
- 5.4.08 E-mail sent to Linda Gilroy (copied to 27 Councillors, 4 M.P.'s, LCC Data Protection Team, LCC Pensions Team, Under Secretary) from Mr Burns mostly complaining about LCC's actions but also making an accusation against DWP. Enclosed was a copy of a letter from Diane Lister, the LCC Pensions Manager, which explains the conditions of receipt of the firemen's injury pension.
- 10.4.08 Letter sent to Mr Burns [REDACTED] stating will give information to LCC if we have the customers signed authority, if we don't have the authority we will send details direct to the customer for them to do what they choose with the information.
- 29.4.08 Further article in Lancashire Evening Post.
- 30.4.08 [REDACTED] was about to reply to a request for information from LCC when she noticed that the customer authority was in "relation to the injury which caused the customers retirement" - not to all benefits. A decision was taken to investigate further before any more requests are actioned.

2.5.08

[redacted] telephoned [redacted] to check what action they were taking. They have not received any requests from LCC that they know of. They will keep a look out for any that may be received and will contact us to find out latest situation before taking any action on any.

[redacted] also telephoned Burnley BDC and was told to contact [redacted] Band C [redacted]. The phone was continually engaged so an e-mail was sent to her asking her to contact us.

[redacted] phoned and spoke to [redacted]. Burnley have received many requests and have actioned them. They had not realised either that the authority was in relation to benefits received relating to the injury sustained.

6.5.08

[redacted] spoke to Dorothy Lambert, one of the case workers at LCC, regarding the problems we were now facing. [redacted] mentioned that we had no way of knowing if our incapacity was relating to the fire fighters injury. She mentioned that most of the requests from LCC don't even have an injury stated on them. Dorothy stated that if they knew the injury they put it on the letter but in many cases LCC did not know the injury themselves! Dorothy suggested that on the cases where the injury was known that we make a judgement call as to whether our incapacity relates to the injury. [redacted] informed her that this was not for us to do.

7.5.08

On reading the authority to disclose letter very carefully it emerged that the authority is for LCC to request information from DWP but does not actually specify that DWP can give the information. The intention is there but is badly worded. Letter constructed to send to LCC explaining that the information we require before we provide information to them.

27.5.08

T/call from Julie Wisdom @ LCC 532091 wanting explanation of why we returned queries. I explained what had happened and that DPU had checked old authority and said it was not satisfactory. I explained that if they had the authority amended to include incapacities then they may be able to decide if the incap related to the injury - I gave hypothetical eg. of a firemen losing a limb but his med certs being for depression, the depression would probably be as a result of the limb loss but we would not be able to correlate the two. I pointed out that many requests did not even have the details of the injury - I told her that if the injury had been registered with us then IIDB may be able to give them the details providing they had an updated customer authority. Julie asked when we had come to this decision (finalised last week) as some of their requests date back to last year, and if we had actioned them timeously we would have replied to them and they would have the information they wanted. Julie asked if all DWP had been informed - I told her that all the BDC's in the Lancs area had been informed along with IIDB at Barrow. Julie pointed out that they had had replies from us, Burnley and Barrow; I replied that these had been done assuming the authority was ok when in fact it is not. Julie said she would have to look at this again.

12.6.08

Letter received from LCC solicitor querying our stance.

13.6.08

██████████ faxed above letter to ██████████ for her to forward to Policy division.

20.6.08

Acknowledgement letter issued to LCC solicitor.

1.7.08

Letters received from LCC regarding 4 firemen who have all signed new authorities. E-mail to Linda Gilroy to confirm it is ok to start actioning them.