



Mandatory Reconsiderations & Appealing a Decision

You have the right to appeal to an appeal tribunal against a decision on a benefit claim that you do not agree with. Many appeals are successful. This factsheet provides information on the different stages in the appeals process and about the Mandatory reconsideration stage of your claim. You must have a Mandatory reconsideration before you can appeal. If you do not have this, your appeal will be automatically refused.

Step One

You receive a decision on your claim which you are unhappy with.

Within one calendar month from the date of the decision on your claim, ideally as soon as possible, you must contact the DWP and ask for a reconsideration. It is important at this point that you include any additional information or evidence to support your claim as this may change the decision.

The DWP have no time limit for getting back to you following your request for a reconsideration. They are likely to try to phone you for more information during this period, so that they can make a decision.

Contact Advice Works if you need help claiming alternative benefits whilst waiting.

Medical Evidence

You are responsible for obtaining any evidence to support your appeal. This could include letters or reports from health professionals including your GP, statements from employers, friends etc. You have a right to access your medical files held by the NHS, but you may be charged for copies of any printed reports. Do not assume that the tribunal, the DWP or Advice Works will obtain evidence, as this is rarely the case. However if you would like to discuss the type of evidence or information that may be helpful please contact the office.

Step Two

If you have received a Mandatory Reconsideration decision and you are still not satisfied with the decision you have the right to appeal. You should receive two copies of the decision. This is important as one of these decision letters must go with any future appeal letter or form.

An appeal has to be made in writing, normally within one month of the date of decision. The Department of Work and Pensions have a form for appealing. This is called an SSCS1 form. Advice Works can help you with this form at our drop-in or on our helpline.

The appeal form asks for all the information about your appeal. It is crucial that if you wish Advice Works to represent you that you state this in your form or appeal letter as we require enough notice to arrange this. Please ensure that you tick you need more than 14 days notice for an appeal date and include any dates you cannot make in the next year. Please also ensure that a copy of the reconsideration letter goes along with the form otherwise your appeal may be refused.

Do not wait for your appeal date before contacting Advice Works for representation or we may not be able to assist.

Step Three

You will be sent a set of appeal papers and this may include a form to complete with similar questions about availability. You should complete and return this even if you think they may already have the information. Phone Advice works for any help with this.

Step Four

The Tribunal Service (details are on this factsheet) are responsible for setting the dates and times for appeals. Depending on the volume of appeals it can be many months before a date is set. During this time Advice Works will not contact you. When you do receive a date, about a month before your appeal, contact our office as soon as possible to check we have also been notified.

Step Five

When Advice Works receive your appeal date and time an Income Adviser will contact you to attend an interview to discuss your appeal. It is important that you attend this interview, or contact your Income Adviser to change the appointment if it is not suitable. If you do not attend, your Adviser will not be able to prepare a case for you or represent you and will have to withdraw from the case. Your chances of success are much greater if you meet with an adviser beforehand.

Step Six

On the day of your appeal, your Income Adviser will meet you at The Tribunal Service building. You may bring a companion to travel with you or support you at the appeal. Any travel expenses that you have will be refunded but you must provide your tickets and complete a form. If you are unable to travel by public transport and require a taxi, you must telephone The Tribunal Service in advance on 0141 354 8400 to request permission and explain why you need a taxi. They will arrange the taxi for you if they agree.

Step Seven

The number of people that sit on your appeal tribunal will range from one to three, depending on the type of appeal. The members of the tribunal have the same submission that you have. The tribunal will ask you questions relating to your appeal, and the chairperson will keep a written record of your answers and the hearing is usually voice recorded. At the end of the tribunal you will return to the waiting area with your Income Adviser. You will normally receive a decision on the same day, but in some cases the tribunal may have to post your decision out to you.

Step Eight

If your appeal is successful your Income Adviser will advise you of the process and give advice on any other benefits and where to get assistance to make any relevant claims. The Tribunal Service will send a copy of your decision notice to the Department of Work and Pensions who will act on this decision. This stage may take up to 8 weeks to complete and for any arrears of benefit to be paid if due. If your appeal is unsuccessful your Income Adviser will advise you of your options.

Please note we may not always be able to represent you on the date that you have been allocated by The Tribunal Service.

The information and timescales contained within this factsheet are intended as guidelines only.

Contact details for The Appeals Service:
Wellington House
134-136 Wellington Street
Glasgow
G2 2XL
Tel: 0141 354 8400

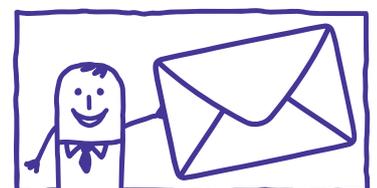
Getting in touch



www.renfrewshire.gov.uk/adviceworks



HELPLINE
0300 300 1238
10am-4pm Monday to Friday



Visit or write to:
Advice Works, 25 Church
Street, Johnstone PA5 8FA