

If you agree to a [telephone hearing](#), make sure you can take the call from the tribunal in a quiet, private place and that [you will not be interrupted](#), for example by children or pets.

The Tribunals Service will let you know [in writing](#) when a Tribunal Clerk should call you but if a previous hearing has taken longer than expected, [they might be late](#). Make sure you have all the [appeal papers](#) with you and [in order](#), so you can find any forms or reports the tribunal members talk to you about.

If you have a [representative](#), make sure they have been [included in the call](#) before the hearing starts.



The hearing might take a long time. [Ask for a break](#) if you feel tired, ill or distressed, or need to use the toilet.

Who is on The Tribunal?

It depends what your appeal is about.

There are [three people](#) on the panel if your appeal is about [DLA](#), [PIP](#) or [Attendance Allowance](#). They are the [Tribunal Judge](#), who is usually a solicitor, a GP or other [medically qualified person](#) and a third person, often someone with a disability or a carer.

If your appeal is about whether you are [fit for work](#), there are [two people](#), a Tribunal Judge and a medical member.

Other cases are heard by a [Tribunal Judge only](#).

What Happens after the Hearing?

The Tribunal make their decision immediately after the hearing and [post it to you that day](#). If they accept what you tell them and think the law supports you, you [win your appeal](#).

It may take [several weeks](#) for new payments to start and for any arrears to be paid, and the [DWP could appeal](#), so do not spend your expected benefit arrears until you actually get the money.

If the Tribunal think the [original decision was right](#), your appeal will be [disallowed](#).

Either you or the DWP could appeal to the [Upper Tribunal](#), but only if the First-tier Tribunal's decision is [wrong in law](#). This starts by asking for the Tribunal's [full statement](#) of how they reached their decision. You have only [one calendar month](#) from your hearing to do this.

Always get [specialist advice](#) about appealing to the Upper Tribunal.

For more information go to www.citizensadvice.org.uk or contact our

Citizens Advice Helpline: 0800 144 8848



Potteries Gold is a **Citizens Advice Staffordshire North & Stoke-on-Trent** project to help people in Stoke-on-Trent cope with changes to the benefit system

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Benefit Appeal Tribunals

Disputes and Appeals No 4



Starting your Appeal

If think a decision about your benefits is wrong, you may have the right to appeal against it.

First, ask for the decision to be **looked at again**.

This is called a **mandatory reconsideration**.

Our leaflet **Appealing Benefit Decisions** explains more about this.

Appealing to a Tribunal

If the reconsideration does not change the decision in the way you want, you can appeal to an **independent tribunal**. There is **no charge or fee** to do this.

You have **one calendar month** from the date of the reconsideration decision to appeal.

Complete an **SSCS1 form**. Send it to the Tribunals Service: the address is on the form.

Filling in the Appeal Form

Fill in the SSCS1 form carefully. Use **extra pages** to explain your case if you need to. If you do not already have someone to help you, you may want to **get advice** about this.

Make sure you put your **name**, **NI number**, the **decision date** and **which benefit** your appeal is about at the top of any extra pages.

If you send more evidence, label that with your name and other details, and **keep a copy**.



My circumstances have changed.

The form asks if you want a **hearing on the papers** or an **oral hearing**, where you can speak to the tribunal and they can ask you questions.

During the Covid-19 emergency, most oral hearings are taking place **by telephone**.

You might be more likely to win your appeal with an oral hearing, because you can tell the tribunal about things not covered in the paper evidence. If you want to speak to the tribunal, make sure put on the form if you need **special arrangements**, perhaps due to a **disability** or because **English is not your first language**.

What happens next?

The Tribunal Service send a copy of your appeal to the office that made the original decision you are appealing against. That office must send you all the **evidence they used** to make their decision, including copies of your claim forms. There will probably at least 50 pages.

This **submission** explains the decision again, lists the **Benefit Regulations** applied and any **Upper Tribunal Decisions** used to interpret the law.

You may want **more advice** to understand these.

If your appeal is about a **disability benefit**, the **medical assessment reports** will be in the appeal papers. You will be able to read what the Health Professional said about your health problems and what they say happened at your medical.

Getting Ready for your Tribunal

Unless you have agreed to a **short notice hearing**, you should get at least **two weeks notice** if you asked for an oral hearing.

Post **extra evidence** to the Tribunals Service at **least a week** before the hearing; keep a copy.

If something arrives too late to do this, send it as soon as you can and **call the Tribunals Service** to let them know it is on its way. The tribunal can decide they should **adjourn** to give themselves and the DWP time to look at it.

Telephone Hearings

If you have asked for an oral hearing, you may be offered a telephone hearing. If you already have an **adviser** or **representative**, **talk to them** about this option. You may find it less stressful to be at home on the phone rather than in a formal hearing room, facing people you do not know.

However, if your appeal is about a disability benefit, you might want to wait for a **face-to-face** hearing, so the tribunal can see how you walk, sit, stand, handle papers or cope with listening to their questions and answering them.

