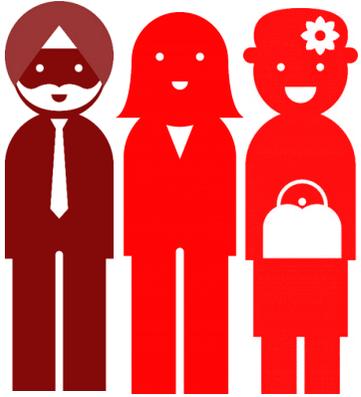


## WHO ARE THE TRIBUNAL?

For DLA, PIP and Attendance Allowance, there are three people on the panel. They are the **Tribunal Judge**, who is usually a solicitor, a GP or other **medically qualified person** and a third person who either has a **disability** or experience of being a **carer**.



If you are appealing because you have been found **fit for work** there are **two people**, a Tribunal Judge and a GP. Other cases are heard by a **Tribunal Judge only**.

The Tribunal Judge has to make notes of what is said, so may ask you to speak slowly. They will have **read the papers** but may also need to ask you questions about your claim. Some of these may seem quite tough because the Tribunal need to be sure you are telling them the **truth**.

There is also a **tribunal clerk**, who welcomes you, deals with travelling expenses if you have requested them and, if you have brought someone, makes a note of who has come with you.

Sometimes, the DWP or Council send a **Presenting Officer** to explain their case.



## WHAT HAPPENS AFTERWARDS?

The Tribunal usually give you your decision very soon after the hearing, or post it that day. If they accept what you tell them and think the **law supports you**, you **win your appeal**.

If the DWP accept the Tribunal's decision, it may still take **several weeks** for your payments to start and for any arrears to be paid to you.

If the Tribunal think the decision you were appealing against was right, your appeal is **disallowed**.

It is possible to appeal against a Tribunal's decision if it is **wrong in law**. Both you and the DWP/Council have this right. You need the Tribunal's **full statement** of how they reached their decision to do this; you have **one calendar month** from the hearing date to request it.

You are likely to need **specialist advice** to appeal to the Upper Tribunal.

For more information go to [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) or contact our Citizens Advice Helpline: 03444 111 444

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  
[www.snsCab.org.uk/about-us/potteries-gold](http://www.snsCab.org.uk/about-us/potteries-gold)  
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# Potteries Gold

## Guide to ...

# Benefit Appeal Tribunals



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## STARTING YOUR APPEAL

If you get a decision about your benefits that you think is wrong, you may have the right to appeal against it. First, you must ask for the decision to be looked at again. This is called a **reconsideration**. Our *Benefit Appeals* leaflet explains this.

If this does not change the decision in your favour, you can ask an independent **tribunal** to look at your case. You have **one calendar month** from the date of the reconsideration decision to appeal. You must complete an **SSCS1 form** and send it to the **Tribunals Service**: their address is on the form.



Fill in the form carefully, and do not forget to send a copy of your **reconsideration notice**. There is space for you to explain why you are appealing. Use **extra pages** if you need to. Make sure you put your name, NI number, the decision date and which benefit your appeal is about at the top of each one.

If you send other evidence, make sure you label that too and **keep a copy**.

You can ask the tribunal to make a decision **from the papers**. However, people who go to their hearing are more likely to win their appeal.

If you want to go to the tribunal, say 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 department that made the decision. That office must send you all the **evidence** they used to make their decision, including copies of your claim forms. There will probably be at least 50 pages. The **submission** explains the decision again, lists the **Regulations** applied and any **Upper Tribunal Decisions** used to interpret the law. You may need to get **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 happened at your medical.

## PREPARING FOR YOUR TRIBUNAL

Unless you have agreed to a short notice

hearing, you should get at least **two weeks** notice of the date.

If you have **extra evidence**, post it to the Tribunals Service **at least a week** before your hearing, and keep a copy. If your evidence arrives too late to send, take it with you and give it to the **clerk**. However, if you turn up with lots of new evidence, the tribunal may decide to **adjourn** to another date.

Although it can help to have a **representative**, the tribunal will always want you to answer their questions yourself. Your rep cannot answer for you. You can take a friend or family member with you for **support**.

## WHERE IS THE TRIBUNAL?

If you live in **Stoke-on-Trent**, your tribunal will be at **Bennett House** near **Central Forest Park**. There is a **car park** and **level access** to the hearing rooms which are on the **ground floor**. You have to go through **security**, including having your bag searched, to get into the building.

