

Benefit Section, Wansbeck Square, Ashington, NE63 9XL

Telephone: 0345 600 6400 Website: [www.northumberland.gov.uk](http://www.northumberland.gov.uk)

## Appeals

### **Who can appeal against a benefit decision?**

A person affected can appeal against a benefit decision. This includes the following:

- the person making the claim (the claimant)
- someone acting on behalf of the claimant who is appointed by the courts
- someone who we agree is appointed to act on behalf of the claimant
- a landlord – but only in matters relating to whom payment of benefit is to be made
- an agent – but only in matters relating to whom payment of benefit is to be made
- any person from whom, it is determined, an overpayment is to be recovered

### **Can I ask you to explain your decision?**

Yes. You can ask us to explain our decision which is called a statement of reason and this should be requested within 1 month of the date of the decision notice. The statement of reason does not affect your right of an appeal. The statement will explain how we reached our decision.

### **What should I do if I want you to look at your decision again?**

You may request a revision of your decision. Requests for revisions are to be made either in writing to the address on this sheet, or by completing a revision request form available from our information centres or from our website. This request must be made within one month of the date of your decision notice.

The decision will be checked by a different officer to the one who made the original decision, to see if it is correct. After reconsidering our decision, we will write to you stating that the decision has been changed or that it will stay the same.

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### **What can I do if I still do not agree with the decision?**

You may be able to appeal to a first-tier tribunal, independent of us and the Department for Work and Pensions, where a judge will look at your case and make a decision on it. The request must be made in writing to our benefit section and must be received within one month of the date on the decision notice.

The tribunal will write to you to tell you the date, time and place of the hearing. You will also be asked if you want to attend or whether you would prefer the tribunal to consider your case without you being present, this is called a 'paper hearing'.

### **Are there any decisions I cannot appeal?**

There are some decisions you can not appeal against, for example:

- what information and proof we need you to give us
- if we did not look at our decision again because you asked us too late
- if we decide not to backdate your benefit because you are slow to, or do not tell us about a change in your circumstances
- that we have a right to recover an amount we have overpaid you
- how we recover the amount we overpaid you
- if you think our decision about a discretionary housing payment is wrong

You also cannot appeal against the level of local housing allowance (LHA) or the broad rental market areas (BRMA) on which they are based if this is how your benefit claim is calculated.

### **Can I appeal against my Council Tax Support decision?**

Yes. Please contact the Council Tax Department on 0345 600 6400 who will provide you with further information on how to do this.