

Top Tips for Benefits Appeals

- **Time limits** – make sure you know the date of the decision you want to appeal and the time limit for lodging an appeal for that benefit. Late appeals may be accepted up to an ultimate time limit of 13 months, but you must give an explanation why the appeal is late and reasons why it should be considered even though it is late
- **Take time to ensure you have all the facts** – it is very important to that you have an accurate picture of the circumstances and that where there are inconsistencies in what the client tells you, you ask questions about it. This may mean checking dates with the client, comparing what is said against any available documents, and asking for evidence.
- **Check that the client is actually entitled to what they have claimed** – it is not in the client's interests for them to go through a lengthy and stressful appeal process if there is no chance of succeeding or if there is no tangible benefit to them if they do succeed.
- **Put everything in writing and always use recorded delivery or personal (hand) delivery** – phone calls may not be recorded or may subsequently be denied, post can go astray. Ensure that the client agrees that what you have written is accurate.
- **Evidence** – unless your client is remarkably convincing and believable, statements that are not supported by any kind of evidence are unlikely to be given much weight. This is particularly important where health conditions are concerned. Written evidence from professionals is the strongest, but signed statements from other third parties and circumstantial evidence can also help support what is said.
- **Ask for an oral hearing** – in almost all cases the client has a better chance of success if they attend the hearing and answer questions. Language should not be a barrier as the Tribunal will provide interpreters if necessary and all venues have disabled access. Any special needs should be put on the TAS1 (Tribunal Enquiry form)
- **Get support** – use specialist helplines, Rightsnet or welfare rights advisers at specialist agencies for advice about how to argue/pursue a case
- **Refer complex cases to specialist providers** – currently there is plenty of capacity in Tower Hamlets, check information from THCAN for lists/contact details. Make proper referrals for benefits appeals – do not signpost your client to drop-in services at other agencies as they may as a result miss their time limits.