



How to challenge a decision: a Step-by-Step Guide

In this infosheet, we provide a glossary of the key organisations where you can get independent advice and representation. We also include a step-by-step guide for lodging complaints and challenging decisions.

During your time claiming Universal Credit, it is possible that a decision will be made about your claim which leaves you feeling like you've not been treated fairly.

If this happens, it's important that you first seek out independent advice from an organisation who deals with issues involving Universal Credit. They will help you work out if you have grounds to make a complaint and/or challenge a decision.

'I've appealed a few sanctions and got them dropped. Always try and appeal a sanction if you can'

UC:Us team

[Glossary of Independent Advice and Representation Organisations](#)

[Northern Ireland](#)

[England, Wales, Scotland](#)

[The process of appeals and complaints](#)

[Making a complaint about your Universal Credit claim](#)

IMPORTANT: Do not pay someone to carry out your appeal for you!

In the past UC:Us members have used precious money of their own to pay for appeal help. Please do not pay someone to carry out an appeal on your behalf - this is something you can get for free. Law Centre NI, advice centres affiliated to Advice NI, Citizens Advice and other agencies can support you to appeal a decision and can represent you at a social security tribunal.

Glossary of Independent Advice and Representation Organisations

Northern Ireland

Law Centre

[Law Centre NI | Free Legal Advice & Support](#)



Advice NI

[Information, advice, advocacy and representation](#)



Welfare Changes helpline (nidirect)

[Independent Welfare Changes Helpline](#)



0800 915 4604

England, Wales, Scotland

Citizens Advice Bureau

[Contact us](#)



Advice local

[Advicelocal](#)



Shelter

For independent advice see:

[England](#) | [Scotland](#) | [Wales](#)



Regional Unemployed Workers' Centres

For example, in Derbyshire, England:

[DUWC - Your Voice Your Rights](#)



The process of appeals and complaints

When can you lodge an appeal?

- If you are unhappy with a decision about your UC, there is an appeal process. You must first ask for a Mandatory Reconsideration (see more below). If you are still unhappy with the decision, you can then appeal to an independent tribunal
- If you are not able to appeal, you can consider making a complaint about the way your UC claim has been handled.
- You have a right of appeal to an independent tribunal against most UC entitlement decisions, including overpayment decisions (whether there has been an overpayment and the amount) and reductions for sanctions.

STEP 1: Mandatory Reconsideration

- If you are not happy with an entitlement decision you can ask for the decision to be looked at again. This is called a Mandatory Reconsideration. For more information, see [Who to contact if you disagree with a Universal Credit decision](#) (NI) or [Challenging a Universal Credit decision - mandatory reconsideration](#) (GB).
- You should continue to receive payments of UC during the Mandatory Reconsideration, but you will not receive any of the elements that you are disputing, You will still receive the elements of your UC award that you are not disputing. So for example, if you are challenging a sanction of your 'standard allowance' you will still receive your child element and housing element.
- You should ask for a mandatory reconsideration within one month of the Department's decision. This can be extended in some circumstances. For more information on these circumstances, contact the [UC Service Centre](#) (NI) or see [Challenging a benefit decision \(mandatory reconsideration\)](#) (GB).
- To request a Mandatory Reconsideration, use your online journal or speak to your work coach .
- If you are claiming in Northern Ireland, you can also call the [Universal Credit Service Centre](#) or write to 'Freepost Universal Credit Northern Ireland'. For claims in England, Wales and Scotland, you can call the Universal Credit helpline, or write to the Department of Work and Pensions using this form: [Challenge a decision made by the Department for Work and Pensions \(DWP\)](#)
- It's worth spending time preparing your Mandatory Reconsideration application. A well prepared application is more likely to lead to a positive outcome.
- You should provide any relevant evidence that you have to support your mandatory reconsideration such as payslips, tenancy agreement etc. An adviser from an advice agency may be able to give advice on the information and evidence that you should provide as part of your Mandatory Reconsideration.

- There is no set time limit for a response to your Mandatory Reconsideration. However, if you have not been contacted about your request, you should check it has been received and ask them to make a decision as soon as possible.
 - If you have been sanctioned and are struggling to meet basic needs (such as rent, heating or food) you may be eligible for a hardship payment (for more information see [Financial Hardship](#) (NI) or [Hardship Payments](#) (GB)). You can apply through your work coach but certain conditions must be met. Please note that this is a loan so your UC payments will be lower until this loan is repaid.
 - When a decision has been made you will receive a Mandatory Reconsideration Notice. This will tell you if the decision has been changed. It will also tell you how to appeal if you are not happy with the decision.
-

STEP 2: Appealing a UC decision

If you have received a Mandatory Reconsideration Notice and you are still unhappy with the decision, you can appeal to an Independent Tribunal.

There are strict time limits for appealing a decision. An application for appeal must be made within one month of the date on your Mandatory Reconsideration Notice. This time limit can be extended in certain circumstances (for more information, see [Appeal a benefits decision](#) (NI) or [Challenging a benefit decision](#) (GB)). There is a space on the appeal form where you can explain why your application is late.

You can appeal if you disagree with:

- A decision that you do not meet the basic or financial conditions.
- A decision that an element cannot be included in your maximum amount.
- A decision to impose a sanction.

You cannot appeal:

- A decision to impose a work-related requirement.
- A decision to recover an overpayment.

What to do next:

- Download an [Appeal Form NOA1](#) (NI) or use the [online form](#) (GB).
 - Alternatively you can contact the [Appeals Service](#) (NI) to request a form is posted out to you. You can also write to the Appeals Service providing reasons for the appeal, your details, your signature, and a copy of the Mandatory Reconsideration Notice.
 - You must send a copy of the Mandatory Reconsideration Notice with your appeal request. If not, the appeal may be 'struck out' (that is, it will not be considered).
 - The Appeals Service will check it has all the information it needs and will contact you if information is missing. Make sure you respond to any requests to make sure the appeal can take place.
 - If you have sent all the required information, the Appeals Service will write to you to confirm that your appeal has been received and to let you know what to do next. They will also write to the Department that made the decision you are appealing and ask them to prepare a written response for the tribunal. You will be sent a copy of this response along with an information leaflet on what to do next.
 - Benefit appeal hearings are held by an independent tribunal. It is strongly advised that you bring an informed representative with you (for example, a tribunal representative from an independent advice agency).
-

Making a complaint about your Universal Credit claim

- If you are not able to challenge the decision by asking for a Mandatory Reconsideration or an appeal, you may want to consider making a

complaint if you are unhappy with how your UC claim has been handled.

- You should first contact the office dealing with your claim. If this does not resolve the issue, Northern Ireland's Department for Communities have a complaint [procedure that you can follow](#)
- If you are claiming in England, Wales and Scotland, there is a complaint procedure that can be followed here: [Make a complaint about JSA or UC - DWP](#)
- If your complaint is about how your medical assessment was conducted, you should contact the service that provided your medical assessment directly (for example, Atos).

Access more of our info sheets

This document is part of a series of info sheets that have been produced from content hosted on ucus.org.uk/ucguide. There are a number of guides in the series you can visit them here or view the guide in its original web form:

Download all the guides here!

[Helping you understand our guide](#)

[UC Lessons from Lived Experiences](#)

Key lessons our group have learnt from their lived experiences. Includes our "Talking Universal Credit: What I wish I'd known" videos

Key lessons our group have learnt from their lived experiences. Includes our "Talking Universal Credit: What I wish I'd known" videos

[Before you apply](#)

Highlights key things that you need to know before making a claim for UC.

[How to make an application](#)

A checklist with all the information you need to have ready to make a claim online for Universal Credit.

[How to understand the UC elements](#)

Sets out all the different elements of Universal Credit to help you to understand more about the benefit.

[Where to get extra financial support](#)

Places where you may be able to seek financial help in addition to your UC claim.

[How to use the online journal](#)

Here we highlight some of the key do's and don'ts when using your online journal, which should help things run smoothly.

[How to challenge a decision](#)

A step by step guide to appealing decisions and lodging complaints along with details of help available.

[Managing Overpayments & Deductions](#)

Information on the reasons why overpayments and deductions occur and some options to manage them.

[Crisis support](#)

Find out support available for people living on a low income who are undergoing difficult circumstances.

[Want to change things?](#)

A quick run through of ideas for trying to change things and ways you can get involved.

[Important contacts](#)

Contacts for a number of free, independent advice agencies who can provide advice and assistance, free of charge.

Follow us on Twitter [@UcUs Now](#) | #ucusguide | ucusguide@gmail.com

The Universal Credit Guide is a core output from a research collaboration between UC:Us participants, the universities of York and Ulster, Housing Rights and Law Centre NI. The research was funded by ESRC. Although it has not been involved in the production of this claimants' guide, UC:Us would also like to thank the Joseph Rowntree Foundation for

funding the initial participatory research project that brought us together and for supporting our engagement with policymakers.

