

## Glossary of Terms

**Appellant** - The name given to the claimant at the appeal stage.

**Decision** - The letter which tells you whether you have been awarded benefit or whether your request for a change has been successful. Although you can be given a decision verbally on the phone you should always ask for it in writing as well to avoid any misunderstandings.

**Full explanation** - You can ask for more reasons for why the decision you have had has been made. However, some decisions already include a full explanation, ask your advisor about these.

**Revision** - This is a 'review' carried out by the section who made the decision in the first place. You can ask for a revision of a decision instead of going straight to an appeal. A revision is a review that may be carried out where you feel the decision was wrong. The Decision Maker can also decide to 'revise' a decision if they think it was wrong. The rules are complicated and you will need to get advice before asking for a revision. If you are not happy with the revision decision you will still be able to request an appeal.

**Supersession** – This is a 'review' carried out by the section who made the decision in the first place. It is generally used where the decision was correct when it was made, but things have since changed, meaning that the decision should be looked at again. You can request this, or the Decision Maker can decide to 'supersede' a decision in these circumstances. There are other more complicated circumstances when a review of this kind can be carried out and you would need to get advice. If you are unhappy with a supersession decision you can appeal against it.

**Tribunal** – This is a hearing of your case in front of panel members who are not employed by the Department for Work and Pensions or other departments with responsibility for benefits and payments. They must look at all the facts again and make their own decision. The hearing can be an 'oral' one where you and/or someone else attends, or a 'paper' one where no-one attends.

**Case-law** – If either side is unhappy with an appeal decision they may be able to take the case to the next stage which is the Social Security Commissioners. This can only be done if the decision is wrong in law. There are several stages after the Commissioners such as the Court of Appeal and the House of Lords. At each stage the case can only be taken if it is accepted that there is an error of law. Decisions from Commissioners, and the other bodies such as the Court of Appeal are binding on all Decision Makers below Commissioner stage. This is referred to as 'case-law' as it is law made on individual cases but generally binding. You may find case-law mentioned and copied in your appeal papers.

**Presenting Officer** – This is the person who comes to the appeal to explain the decision of the agency who made the decision you are challenging. They are not independent of the decision making process which decided against you, however the individual at your appeal is unlikely to be the person who made the decision. The Agency does not always send a presenting officer.

**Decision Maker** – The general name given to the staff who make decisions in most Government Agencies.

**Submission** – The case for appeal. The Agency's submission will be in writing and include a summary of the facts as they see them and their reasons for the decision, including evidence collected by the Agency to support their case. Your submission will be anything you put verbally or in writing to the tribunal including any evidence collected by you to support your case.

## Abbreviations

**TAS** - The Appeals Service. The Department for Work and Pensions is responsible for the Appeals Service, and the staff who work for TAS are employed by the Department for Work and Pensions. The tribunal members who sit on appeal panels and make appeal decisions are not employed by the Department for Work and Pensions, they are responsible to a different government department and are in that sense independent.

**BA** - Benefits Agency – The name of the Government Agency that was responsible for the benefit system until April 2002. The agency was responsible to the Department for Work and Pensions. From April 2002 the Agency has been renamed “Job Centre Plus”

**DBC** – Disability Benefits Centre. This is the Department for Work and Pensions Agency that deals with claims for disability benefits.

**EMP** – Examining Medical Practitioner. These are GPs employed by the Department for Work and Pensions (via SEMA) to carry out medicals in respect of disability benefits

**BAMS** – Benefits Agency Medical Service. This has now been taken over by a company called SEMA. They are contracted to run the medical services for the Department for Work and Pensions which includes examinations on Incapacity and Industrial Injuries Benefits.

**DM** – Decision Maker – see glossary above.