

# Social Security Appeal Tribunal

## NOTES ABOUT YOUR DECISION

*These notes explain what to do if you are dissatisfied with the decision for any of the reasons shown.*

### 1. STATEMENT OF REASONS

You cannot appeal to the Commissioner unless you first get the statement of reasons for the tribunal's decision. The statement of reasons explains the tribunal's findings on questions of fact and its reasons. You must ask for the statement of reasons within **one month** of the date you are given or sent the tribunal's decision notice.

### 2. SOCIAL SECURITY COMMISSIONER

If you think the tribunal got the law wrong you can apply for leave to the Commissioner. You can only appeal to the Commissioner on a point of law. You cannot appeal to the Commissioner about questions of facts. In order to appeal to the Commissioner you must request the statement referred to in paragraph 1 **within one month** of the date the decision notice was given or sent to you. You should read the statement of reasons carefully. If you still do not agree with the reasons for the decision, you can apply for leave to appeal to the Commissioner. You must do this **within one month** of the date the statement of reasons was sent to you. If you appeal to the Commissioner, you must send the statement of reasons with your application. If you do not, your application may not be looked at.

Late applications for a statement of reasons or for leave to appeal to the Commissioner can only be accepted if there are special circumstances or special reasons that caused the delay. You will need to show why you were not able to make your request on time.

### 3. SETTING THE DECISION ASIDE

**If you think the tribunal's procedure was unjust** because an oral hearing took place without you or your representative being there, or the tribunal did not have the necessary papers, or because of any other reason relating to a procedural matter, you can apply to have the tribunal's decision set aside. To do this you should write to the clerk to the tribunal within **one month** of the date when the decision notice was given or sent to you, giving your reasons in full.

**If your application to set the tribunal aside is unsuccessful** but you consider that the tribunal was mistaken in law and you wish to appeal to a Commissioner, you may find difficulty in making that appeal because you did not apply for the statement of the tribunal's facts and reasons within the **one month** period referred to, if arrangements have not already been made for it to be provided.

#### 4. **RECORD OF PROCEEDINGS**

If you want a record of the appeal hearing, you can get a copy of the record of proceedings up to 6 months after the hearing. (This is not a copy of the audio recording which is available on written request and on payment of a fee).

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