

**Upper Tribunal
(Administrative Appeals Chamber)**

Office Stamp
(Date Received)

**Application for permission and Notice of Appeal
From First-tier Tribunal (Social Entitlement Chamber)**

You MUST have applied to the First-tier Tribunal for permission to appeal against their decision before you fill in this form

Use this form to apply for permission if you have been refused permission by the First-tier Tribunal or to appeal if you have been granted permission

Please complete the form in CAPITAL LETTERS using black ink or by typing

A ABOUT THE DECISION YOU ARE APPEALING AGAINST

This information can be found on the decision notice sent to you by the First-tier Tribunal.

First-tier Tribunal Reference

First-tier Tribunal Decision Date

B ABOUT YOU (THE APPELLANT)

You should enter your details here. Where a child or other person unable to act for themselves is appealing, please enter that person's details here. There is space on the next page for the name of a representative or appointee.

Mr Mrs Miss Ms

Other (please specify)

First name(s)

National Insurance number

Surname

Date of birth

Address

Daytime phone number

Mobile phone number

Postcod

-

Email address

Leave **blank** if you do **not** want the Upper Tribunal to use email to write to you about your case.

You can still ask us to send you a paper copy of any document that we have emailed to you. If you ask for this, please ask as soon as reasonably practicable.

CHILD SUPPORT CASES ONLY

Person with care of the child /
children

Non-resident parent

C ABOUT YOUR REPRESENTATIVE

By a representative we mean someone acting on your behalf in a formal capacity. This might be a solicitor, an organisation like the CAB or Welfare Rights Service or just a friend who will deal with the case for you.

Name of representative

Address

Postcode

Organisation (if any)

Daytime phone number

Reference number (if any)

Email address

Leave **blank** if you do **not** want the Upper Tribunal to use email to write to you about the case.

You can still ask us to send you a paper copy of any document that we have emailed to you. If you ask for this, please ask as soon as reasonably practicable.

ABOUT YOUR APPOINTEE

By appointee we mean someone who has been appointed by the DWP or other decision making body to act because the appellant is a child or cannot act for themselves, e.g. because of physical or mental ill health.

Name of appointee

Address

Postcode

Daytime phone number

If you have been appointed to act on behalf of the appellant you should send us a copy of the Notice of Appointment made by the Secretary of State for Work and Pensions (or other decision making body e.g. the local authority in a housing benefit case)

Email address

Leave **blank** if you do **not** want the Upper Tribunal to use email to write to you about your case.

You can still ask us to send you a paper copy of any document that we have emailed to you. If you ask for this, please ask as soon as reasonably practicable.

D REASONS FOR ANY DELAY

If more than a month has passed since the First-tier Tribunal wrote to you sending you the decision on your application for permission to appeal, you must apply for an extension of time by giving your reasons for the delay below.



Please tell us what **error of law** you think the First-tier Tribunal has made.
An explanation and examples of an error of law can be found in the frequently asked questions below.

If you want to say more, please use another sheet of paper.

F REQUEST FOR AN ORAL HEARING OF APPLICATION FOR PERMISSION TO APPEAL

If you were refused permission to appeal by the First-tier Tribunal, do you want to have an oral hearing of your application for permission to appeal at the Upper Tribunal?

No

Yes Please say why

An oral hearing may be a face to face hearing or be heard remotely (by video-link or telephone).

Please note that the Upper Tribunal judge will not necessarily grant your request for an oral hearing at this stage. Most applications for permission to appeal are decided by the judge considering your application form and the documents which the First-tier Tribunal considered. If you are given permission to appeal by the Upper Tribunal judge, you will be given another chance to ask for an oral hearing of your appeal.

If the judge grants your request for an oral hearing it would usually be held in Birmingham, Cardiff, Edinburgh, Exeter, Leeds, London, Manchester or Newcastle.

G SIGNATURE

You must sign this form if you wish to appeal to the Upper Tribunal, unless you are represented by a solicitor. If you have a solicitor, they can sign the form in the special box below instead of you.

If you have named a representative who is not a solicitor in section C, by signing this box you are authorising that representative to act on your behalf in all proceedings before the Upper Tribunal. You must make sure they agree to represent you before you sign.

Would you like to receive your final decision only by Yes No

Please sign or type your name in the box below

Appellant (or Appointee) Signature

Date

Solicitor Signature _____

H REQUIRED DOCUMENTS

You **SHOULD** send the following documents with this form

- The First-tier Tribunal decision notice
- The First-tier Tribunal written statement of reasons for their decision
- The First-tier Tribunal decision notice on your application for permission to appeal

If you do not have these documents please do not delay sending in our form. You should still send the form in and say why you do not have the documents below.

WHERE TO SEND THIS FORM

After you have filled in and **signed** this form **please send it by email** if possible or alternatively by post to the correct office address from those listed below

1. England

If your First-tier Tribunal hearing was in **England** you should send the form to:

The Upper Tribunal Office (Administrative Appeals Chamber)

5th Floor Rolls Building, 7 Rolls Buildings, Fetter Lane, London, EC4A 1NL

DX160042 STRAND 4

Tel: 020 7071 5662 Fax: 0870 324 0028 Type Talk: 18001 020 7071 5662

Email: adminappeals@justice.gov.uk

2. Wales

If your First-tier Tribunal hearing was in **Wales**, or you live in Wales you can send the form to the **London** address above or to:

The Administrative Appeals Chamber of the Upper Tribunal (Wales)

Civil Justice Centre, 2 Park Street, Cardiff, CF10 1ET

Tel: 029 2037 6460 Fax: 029 2037 6461

Email: adminappeals@justice.gov.uk

3. Scotland

If your First-tier Tribunal hearing was in **Scotland** you should send the form to:

The Upper Tribunal (Administrative Appeals Chamber)

George House, 126 George Street, Edinburgh, EH2 4HH

Tel: 0131 271 4310 Fax: 0131 271 4398

Email: UTAACMailbox@justice.gov.uk

WHAT HAPPENS NEXT

We will write to you to let you know when we have registered your case.
If you do not receive an acknowledgement letter within 14 days of sending in the form please contact the office to query.

FREQUENTLY ASKED QUESTIONS

What do I need to do before completing this form?

Before you complete this form :

- You should ask the First-tier Tribunal for a **written statement of the reasons** for its decision, *and*
- You **MUST** apply to the First-tier Tribunal for **permission to appeal** to the Upper Tribunal.

The First-tier Tribunal will have told you how and when you need to do this.

Is there a deadline for sending in this form?

Yes, you must send this form to the Upper Tribunal office so that it is received at the office within **one month** of the date of the letter which came with the decision of the First-tier Tribunal on your application for permission to appeal.

What if I think I am going to miss the deadline?

You should always try to send your properly completed form in so that it is received within the **one month** time limit. If you are unable to complete it fully or to send all the necessary documents within the one month time limit, send what you can and explain why you cannot provide the rest of the information or documents.

What if I have missed the deadline?

You should send in your form as soon as you can and must say why you have missed the deadline in **section D** of the form. The judge will decide whether to accept your late appeal.

What is an error of law?

Here are some examples of ways in which a First-tier Tribunal may be wrong in law :

- the First-tier Tribunal did not apply the correct law or wrongly interpreted the law, or
- it made a procedural error, or
- it had no evidence, or not enough evidence, to support its decision, or
- it did not give adequate reasons (in the written statement of its reasons).

However, these are only examples and the First-tier Tribunal decision may be wrong in law for some other reason. You should explain in as much detail as possible why the decision **in your particular case** is wrong in law. If you are unsure whether the tribunal was wrong in law you may wish to consult a Citizens Advice Bureau or other Welfare Rights Service (see section C above) but you should not miss the **one-month** time limit for sending in your form.

What you have said on this form will be treated as your main submission on the appeal (even if you are now only applying for permission to appeal). You should therefore make sure that you say everything you wish to at this stage. On the other hand, remember that short clear submissions may be more effective than long repetitive ones. You may use a separate piece of paper if you wish, but make sure it has your full name on it and is sent with the form.

Can I get legal aid?

In **England and Wales**, you may be able to get free legal help with your appeal to the

Upper Tribunal (Administrative Appeals Chamber). You will need to meet the necessary financial conditions. To check if you are eligible for legal aid either use the legal aid checker at www.gov.uk/check-legal-aid or telephone 0345 345 4 345.

In **Scotland**, you may be able to get legal aid or legal advice and assistance with your appeal to the Upper Tribunal. You can find information on whether you are eligible from the Scottish Legal Aid Board (SLAB) at <http://www.slab.org.uk/public/civil/> or by telephone on 0845 122 8686 or by email at general@slab.org.uk
