

Mandatory consideration of revision before appeal – Government interim response to public consultation

June 2012

Between 9 February 2012 and 4 May 2012, the Department for Work and Pensions (DWP) undertook a public consultation exercise¹ seeking views on issues relevant to the implementation and operation of the appeals reform provisions in the Welfare Reform Bill. The Bill received Parliamentary approval and has now become the Welfare Reform Act 2012.

Section 102 of the Act enables regulations to be made to require claimants and other persons who disagree with a decision to request consideration of revision before they may appeal against a decision.

DWP received 154 responses to the consultation. The main issues raised by respondents were:

- the need for a time limit for the Department to complete its reconsideration of disputed decisions;
- a proposal that the Department should consider paying Employment and Support Allowance pending reconsideration; and
- the need for improvements to the standard of decision making.

The responses have been analysed and the proposals reviewed in light of all the comments made. The Department does not propose to make any significant changes to the draft regulations included in the consultation document as a result of the comments received.

The volume of responses received means that we will be unable to publish a full formal response before the end of July 2012.

¹ <http://www.dwp.gov.uk/consultations/2012/mandatory-consideration.shtml>