

Freedom of Information request 3013/2014

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Information request

Clearly, claimants would be expected to be able to provide evidence of a fact which they are asserting to the DWP, such as pay slip or other payment. This is reasonable. However there can be a problem when the event happened a long time ago and it would be unreasonable to expect a claimant to have written evidence. People throw away payslips and letters and can easily lose documents such as a copy of a will, particularly when they have moved address several times.

My request is this; Is there a period beyond which it would be unreasonable to expect a claimant to still have the written evidence of a payment which they might have kept for a number of years and after that was lost and difficult or impossible to retrieve. Some documentary evidence will always be available such as a birth certificate or marriage certificate but where there is a payment of compensation for a personal injury claim and the firm of solicitors have gone out of business say five years after they made the payment there might be difficulty getting confirmation of the payment.

What time limit would be considered reasonable by the DWP within which the written evidence of such a payment should be available to the claimant if an investigation required it?

DWP response

In law there is no reference to a period in this context. The point you make is acknowledged but, of course, a decision maker must be satisfied by the credibility of what he is being told before he makes a decision. The link below, from the Decision Makers' Guide – available on GOV.UK, will hopefully help you understand our position. I would draw your attention in particular to paras 01300 – 01405.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251149/dmg-vol1-ch01.pdf