

Freedom of Information request 4868/2012

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Information request

- Q1. I am writing to you to ask what are the appeal proceedings, if the JPC makes decision that the EU citizen is not entitled for the JSA.
- Q2. How many appeal stages the job seeker must go through, for example if it starts from dispute at local Jobcentre Plus, then goes to the decision viewer outside JCP and then at the ft-tribunal?
- Q3. What if the tribunal is not making positive decision either, should that go to upper tribunal and then to the high court?
- Q4. When the EU commission may do opinion whether the EU citizen is entitled for the JSA or not?

DWP response

- Q1. An explanation of the appeal process is available in the leaflet GL24 "If you think our decision is wrong", available from the Department's website at the following address: <http://www.dwp.gov.uk/docs/gl24dwp.pdf>. Alternatively, Her Majesty's Courts and Tribunals Service (HMCTS), who operate the tribunals which hear appeals against Social Security Appeals, also produce an information leaflet, "How to Appeal", which is available from the Ministry of Justice website at the following address: http://www.justice.gov.uk/downloads/tribunals/social-security-and-child-support/forms-and-how-to-appeal/HTA_English_Final_rev.pdf.
- Q2. Claimants may appeal straightaway when they receive a decision that they dispute. Claimants may also choose to request an explanation and request revision of the decision before appealing.
- Q3. Please see leaflet GL24 "If you think our decision is wrong", page 16 or the HMCTS leaflet "How to Appeal" page 30 for information on appealing to the Upper Tribunal. The Department does not hold information on appealing further to higher courts.
- Q4. The Department does not hold information on appealing to the European Court of Justice or the European Court of Human Rights.