

# **DMG - Volume 1: Decision making and appeals**

## **Summary of changes from October 2020**

### **March 2025 updates**

#### **Chapter 06**

The amendments were made in paragraphs 06368-06385 due to a new Practice direction for tribunal composition being issued.

### **January 2025 updates**

#### **Chapter 03**

The paragraph below was added to incorporate memo 13/22 within the DMG at paragraph 03017. Removed memo 13/22 from the DMG

#### **DMG paragraph 03017**

Added to the end:

However, a decision by a DM or FTT that reinstates a disallowed qualifying benefit is not a change of circumstances in this context. The DM can take the reinstatement into account even if it had occurred after the decision under reconsideration had effect<sup>2</sup>.

2 MW v SSWP (IS) [2022] UKUT 59 (AAC)

#### **Chapter 06**

The paragraph below was added to incorporate memo 13/22 within the DMG at paragraph 06015. Removed memo 13/22 from the DMG

#### **DMG paragraph 06015**

Added:

However, a decision by a DM or FTT that reinstates a disallowed qualifying benefit is not a change of circumstances in this context. The FTT can take the reinstatement into account even if it had occurred after the decision under reconsideration had effect<sup>2</sup>.

2 MW v SSWP (IS) [2022] UKUT 59 (AAC)

### **October 2024 updates**

#### **Chapter 01**

Amendments to DMG 01595 2 to 01599 – These paragraphs have been amended to remove procedural steps – updated procedural guidance can be found in operational guidance.

## **September 2024 updates**

### **Chapter 06**

Paragraph 06374 has been amended and now reads -  
06374 The FtT must however, always include a tribunal judge. So where a three person tribunal is reduced to two people, one must be a judge<sup>1</sup>, or where reduced to one person, that person must be a judge<sup>2</sup>. Where a judge is not available then the hearing cannot go ahead. The FtT must also always include a medical member where the appeal concerns Attendance Allowance, Disability Living Allowance or Personal Independence Payment<sup>3</sup>.

1 The FtT & UT (Composition of Tribunal) Order 2008, art 6; 2 art 4(1); 3 Practice statement: Composition of Tribunals in Social Security and Child Support cases in the Social Entitlement Chamber on or after 01 August 2013, para 4

## **February 2024 updates**

### **Chapter 06**

An amendment to paragraph 06233 point 2 in the bracket area changed from (see CAP 2133 et seq for details of how to submit cases) to (see CAP 77 et seq for details of how to submit cases).

## **January 2024 updates**

### **Chapter 03**

Amendments to paragraph 03350 – [see memo DMG 09/21] and [see memo DMG 03/22] – removed.

Paragraph 03351 – 11. ADP<sup>2</sup>  
12. CDP<sup>3</sup>

Have been added as well as the legal references after 1 *SS Act 98, s 8(3)*-  
;2 [DAWAP\(S\)Regs, reg 2\(link is external\)](#); 3 [DACYP \(S\)Regs, reg 2 \(link is external\)](#)

### **Chapter 04**

Paragraphs 04350 and 04354 – amended as the following has been removed: - [see memo DMG 3/22] and [see memo DMG 09/21]

Memos DMG 09/21 and DMG 03/22 cancel/deleted as now fully incorporated in relevant DMG Chapters.

## **July 2023 updates**

### **Chapter 01**

Chapter amended to remove references of living together as husband and wife and LTAHAW and replaced with the correct terminology of living together as a married

couple or LTAMC. The following paragraphs have been amended:

01041 Example, 01102 Example 1, 01114 Example, 01180 Example, 01390 Example, 01432 Example and **Appendix 1: Areas where information gathering, and decision-making functions must always be undertaken by separate members of staff** – paragraph 2 (2. Determinations about LTAMC and LTACP).

## **December 2022 updates**

### **Chapter 06**

Amendment: referencing the changes relating to Her Majesty's replaced to His Majesty's throughout Chapter 06

## **August 2022 updates**

### **Chapter 06**

Links to the "Practice Statement on Record of Proceedings" at paras. 06508, 06509, 06510 and 06511 updated as the Practice Statement was replaced with a new one effective on and after 31/03/2022. Para. 06510 amended from six months to eighteen months as per the statement.

## **July 2022 updates**

### **Chapter 03**

DMG Memo 19/20 incorporated at para. 03012 – incorporated memo 19/20, superscript renumbered.

### **Chapter 06**

DMG Memo 19/20 incorporated at para. 06006, superscript renumbered.

## **June 2022 updates**

### **Chapter 02**

DMG Memo 10/21, incorporated – 'Consequential Amendments to Social Security Legislation due to the Introduction of Child Disability Payment (CDP)'. New paragraphs 02446 and 02447 added.

## **January 2022 updates**

### **Chapter 01**

Minor amendments made at paragraph 01442 to correct typos.

### **Chapter 02**

Various amendments; para. 02069 - benefits which can be claimed (including evidence etc.) electronically now updated (reg. 4ZC of The Social Security (Claims and

Payments) Regulations 1987). Also incorporates DMG Memos 10/20 and 14/20; para. 02070 – Electronic Communications; para. 02441 amended to incorporate legislation in respect of EPoA; para. 02175 – paragraph 3 of DMG Memo 3/21 incorporated – medical examinations can be conducted by telephone or by video; para. 02178 amended to reflect current process for NINO applications.

## **Annex B**

This now includes the latest version of schedule 9ZC to The Social Security (Claims and Payments) Regulations 1987 and Appendix A - The Social Security (Electronic Communications) Consolidation and Amendment Directions 2011 (as amended).

## **December 2021 updates**

### **Chapter 01**

Amendments made to paragraphs 01323 and 01442 regarding obtaining evidence from third parties.

### **Chapter 02**

Reference to “Agents, Appointees, Attorneys and Deputies guide” at paras. 02440, 02443 & 02445 amended to “Agents, appointees, attorneys, deputies and third parties: staff guide”.

## **November 2021 updates**

### **Chapter 06**

Appendix 2 - the aide memoire at para. 06600 added for DM to consider hardship at point 3.1.

## **September 2021 updates**

### **Chapter 01**

Minor amendment to DMG paragraph 06162 lapsing an appeal to remove point 06162.

## **August 2021 updates**

### **Chapter 06**

Paragraphs 01001, 01002 and 01003 amended to make reference to the Secretary of State gender neutral.

## **July 2021 updates**

### **Chapter 05**

The meaning of certain terms to include CHB as child benefit, minor amendments to DMG paragraphs 05005-05007, 050012-050015, 05017-05018 and 05023

### **Chapter 03**

Paragraphs 03250-03459 amendments to DMG are made to include reference to the Best Practice Memorandum (BPM) and to direct the use of this when DM's are

considering partial revisions. There has been some rewording to make the lapsing process clearer

### **Chapter 06**

Paragraphs 06160-06179 amendments to DMG are made to include reference to the Best Practice Memorandum (BPM) and to direct the use of this when DM's are considering partial revisions. There has been some rewording to make the lapsing process clearer.

## **January 2021 updates**

### **Chapter 03**

Heading to para. 03024 amended to add 'admitted'. Reference to 'credits' removed – regulation 3(8C) of the D&A 1999 Regs. refers to paid national insurance contributions and not credits.

## **November 2020 updates**

### **Chapter 06**

Para. 06043 amended and 06044 removed. DM now referred to DMG Chapter 3 and Annex F where detailed guidance can be found in respect of revision and any subsequent appeal rights.

## **October 2020 updates**

### **Chapter 01**

Reference in 01052 changed.

### **Chapter 02**

Various amendments, 02330 – 'Time for claiming' - WB, BSP added, BA removed (not incorporated in previous amends); 02331 – new para. for 'mixed-age couples (incorporating DMG Memo 07/19); 02339 – (old Bereavement Payment para.) removed as no longer required; 02340 – BPT and BA removed, BSP added (not incorporated in previous amends), Note and legal reference removed; 02064 – 02036 reference removed - para doesn't exist; 02560 – reference to DMG Memo 07/19 removed; 02569 – new para. for mixed-age couples.

### **Annex D**

Under paragraph 2 of Contributions decisions schedule 3 now added as previously omitted.