

DMG - Volume 1: Decision making and appeals

Chapters 01-06

Summary of changes from October 2020

Chapter 02, 03, 04

All references to DMG memo 03-25 have been removed. DMG Memo 03-25 is now removed.

February 2025

Chapter 06 new insertions -

Redaction

06295 In general, evidence provided to the FtT should be submitted in its original, unredacted form. The names of decision makers, assessors, examiners, and witnesses of fact or opinion must always be included in the response to the appeal¹. Subject to DMG 06296, if the DM considers that all or part of a document should not be disclosed, the procedure in DMG 06289 must be followed.

1 Practice Guidance No 8 (Para 10)

06296 The names and other personal details (such as telephone numbers, addresses, or email addresses) of individuals who have not provided evidence, expressed an opinion, or made or contributed to the decision under appeal may be redacted without a direction from the FtT. These individuals have no evidential role in the case, and disclosure of their details is not required¹. In these circumstances it is not necessary for a party to make an application for a Rule 14 order to submit a document with these details redacted. However, if redactions have been applied without a Rule 14 order, then the DM must include an explanation of what evidence has been redacted and the reason for the redactions².

1 Practice Guidance No 8 (Para 11). 2 Practice Guidance No 8 (para 12)

November 2025

DMG Memo 13-25: "Any Time" Revision - Effect of Upper Tribunal Decision, added with cross references to Chapters 03, 06 and Annex F.

October 2025

Chapter 4

DMG paragraph 04426 removed, following this 04427 has been renumbered to 04426.

Subheadings changed to reflect changes.

Chapter 2 and Annex A

Changes to incorporate DMG memo 02/25 (references to this memo have been removed from paragraphs, 02263- 02264, 02267-02270, 02273 and 02277) minor amends to correct typos. Changes made to paragraph 04653 and re-numbering of paragraphs 94654 -04655. '26. PADP' added to Annex A

Annex A

At point 25 – *Scottish Adult Disability Living Allowance* added to the list

Chapter 2

Amendments at paragraphs 02264 and 02269 – links to memo 06/25 have been removed as memo incorporated.

Chapter 3

Amendments at paragraph 03350 – links to memo 06/25 have been removed as memo incorporated and **paragraph 03351 – Added '11. SADLA' to the list of relevant benefits**

Chapter 4

Amendments to paragraphs 04350, 04556 and 04558 – links to memo 06/25 have been removed as memo incorporated and paragraphs 04559 – added 04559

Amendment to paragraph 04720 – links to memo 06/25 have been removed as memo incorporated and paragraph 04722 added

Amendments to paragraphs 04646 – 04647 – links to memo 06/25 have been removed as memo incorporated, paragraph 04652 added **Claimant or the claimant's partner becomes entitled to SADLA**

August 2025

Chapter 2

The DM decides the period of the claim as part of the outcome decision. Normally the period of claim is indefinite (from and including a particular date)¹. In some cases it will be for a definite period (from one date to another date inclusive). A definite period of claim is appropriate where entitlement

1. is related to conditions which are only satisfied for a specific period **or**
2. has ended at the time the DM decides the claim² **or**
3. will end in the near future (this should be decided on the basis of what is reasonable or practical)³.

Regulated SF payments are not made for a period of time. They are one-off payments.

April 2025 updates

DMG Memo 06-25: Legacy Benefits and State Pension Credit - The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order 2025, added with cross references to the DMG Abbreviations,

Statutes & S.I. lists plus DMG chapters 61, 35, Vol 1 Annex A, 02, 04, 03, 04, 53, 23, 41, 44, 78, 20, 28 & 86

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 effect².

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 effect².

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 judge¹, or where reduced to one person, that person must be a judge². 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 Payment³.

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. ADP²
12. CDP³

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.