

**OVERSEAS APPEAL CASES, DL/CAP 36 AMENDMENT  
AND LEEDS OFFICE PHONE NUMBER CHANGES**

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**INTRODUCTION**

- 1 This bulletin is being issued to
1. expand the guidance on the timescales for the return of the TAS1 overseas
  2. introduce a revised version of DL/CAP 36
  3. give new telephone numbers for the Leeds Tribunal Service office.

**OVERSEAS APPEALS**

- 2 Guidance in CAP 4355 and 4357 is expanded to include
1. the appellant's last known address in GB on the TAS1 Overseas **and**
  2. a 21 day time limit for the return of the TAS1 Overseas where the appellant lives in Northern Ireland, the Channel Islands or the Isle of Man.

**DL/CAP 36**

- 3 The DL/CAP 36 is revised to include reference to a claimant's representative.

## **ACTION**

- 4 The pages attached to the end of this bulletin should be used to replace those in the current CAP.

### **Remove**

4352 – 4370 (1 page)

Appendix 2 DL/CAP 36 (1 page)

### **Insert**

4352 – 4370 (1 page)

Appendix 2 DL/CAP 36 (1 page)

## **LEEDS OFFICE PHONE NUMBERS CHANGE**

- 5 Please note that the telephone numbers of the Leeds Tribunal Service offices at York House have changed. Details are on the attached Appendix.

## **CONTACTS**

If you have any queries about this bulletin please write to ACI Division, Room GS36, Quarry House, Leeds.

**ACI Leeds: December 2007**

## APPENDIX

### NEW TELEPHONE NUMBERS FOR TRIBUNAL SERVICE YORK HOUSE LEEDS

**Switchboard ..... 0113 389 6000 (TAS1)**

Fax ..... 0113 389 6001/6002

#### **Leeds, Bradford, Keighley, York and Grimsby**

Team Leader ..... 0113 389 6046

Bradford ..... 0113 389 6049/6041/6037

Leeds ..... 0113 389 6044/6085/6048

Grimsby ..... 0113 389 6039

York ..... 0113 389 6036

#### **Wakefield, Hull and Scarborough**

Team Leader ..... 0113 389 6071

Scarborough ..... 0113 389 6040

Hull ..... 0113 389 6073

Wakefield ..... 0113 389 6080/6081/6082

#### **Barnsley, Doncaster and Sheffield**

Team Leader ..... 0113 389 6050

Barnsley ..... 0113 389 6059

Doncaster ..... 0113 389 6057

Sheffield ..... 0113 389 6053/6055

4345 - 4351

sent to the appellant, representative or the PO. A case control of two weeks should be set for receipt of the ruling on disclosure.

**Note: see para 4300 for guidance on the numbering of documents containing PHME.**

4345 The PHME box of the AT37 should be ticked “yes” and the field below annotated “See PHME form”.

4346 The appropriate version of the TAS1 should be included with each set of documents and completed in the normal way except that the date fields should be left blank. The clerk will complete this when the appropriate submission is sent to the claimant. The TS does not hold stocks of the TAS1.

**See paras 4349 - 4362.**

4347 On receipt of the LQPM's ruling, the clerk will:

- send the appropriate submission as directed together with the pre-hearing form to the claimant and representative **and**
- send a copy of the ruling to the appropriate Agency.

4348 The Agency's file should be noted to ensure that the ruling is followed in any contact with the claimant or representative. The appropriate submission should be issued to the PO if there is to be one.

### **TAS1**

4349 The TAS1 series of forms give appellants more information about the appeals process. Appeals officers are reminded that they must always use the appropriate version of the TAS1 that is current at the time the appeal is written. When versions of the TAS1 series change DWP staff are notified in a bulletin.

4350 Appeals officers send the appropriate version of the TAS1 enquiry form to appellants on behalf of the TS along with a copy of the appeal submission, except in cases involving PHME - (**see para 4346**). Appellants must return the form to the TS within 14 days.

**Note: the time limit is different for appeals from overseas appellants - see para 4357.**

4351 An insert has been prepared, explaining the 14 day requirement in several different languages (TAS1 attachment). This insert must be included with all versions of the TAS1 sent to appellants.

4352 In addition to the TAS1, there are two other versions:-

TAS1 Overseas, which should be issued to a person living abroad, whether or not medical issues are the subject of the appeal, and

TAS1 Med, which should be issued in cases where medical issues are the subject of the appeal (AA, DLA, IB, IIDB and SDA), except where the appellant is a person living abroad.

4353 There are also Welsh language versions of the TAS1, TAS1 Overseas and TAS1 Med. Under the DWP Welsh language scheme, it is important to establish the appellant's language of choice for people living in Wales. This should have been recorded at the point of first contact with the Department. The person can ask for all communications to be in Welsh and English as well as just Welsh or English.

4354 Combined English and Welsh versions of the TAS1 series are available for appellants who wish to be contacted in Welsh (TAS1 W, TAS1 W Med, TAS1 W Overseas). Where the appellant lives in Wales and has not expressed a language of choice, TAS1 W should be issued.

4355 Whichever version of the TAS1 is used the issuing office should complete the blank fields on page 1 giving the appellant's name, the date of issue, the appeal type and indicating which TS centre will be dealing with the appeal. Where the person is living abroad their last known address in GB should be included. The whole of the first box on the enquiry form (page 3 of the form) should also be completed.

4356 For the TAS1 Overseas and TAS1 W Overseas, there are two extra fields to be completed by the issuing office, which alters the time allowed for return of the form. These are:

1. the warning box at the top of the front page **and**
2. the third paragraph on the front page.

4357 The time limits for return of the TAS1 Overseas etc are:

1. 21 days where the appellant lives in Northern Ireland, Channel Islands or the Isle of Man
2. 56 days where the appellant lives outside GB but within the EEA **or**
3. 112 days where the appellant lives outside the EEA.

**See DMG Volume 2 for a list of EEA countries.**

# Appendix 2

## DL/CAP 36

### Letter to appellant's representative when sending a copy of the submission to them following confirmation from the TS

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Dear Sir or Madam

#### **About the appeal for (a)**

I am writing because the Tribunals Service has told us that you are representing (b) at (c) appeal.

We have sent you a copy of the appeal papers with this letter. These papers give our reasons and evidence for the decision.

The Tribunals Service will get in touch with you and (b) to tell you when and where the appeal will be heard. If you want to know more about the appeal, please get in touch with the Tribunals Service at:

(d)

If you want more information, please get in touch with us. Our address and phone number are at the top of this letter. (e).

Yours faithfully

(insert Initial or Forename and Surname of sender)

Draft letters

**Notes for completion**

- (a) insert appellant's title, full name and surname
- (b) insert appellant's title and surname or where the appellant has a representative, parent or guardian acting on their behalf, their title and surname
- (c) insert correct option:
  - (c1) his
  - (c2) her
  - (c3) appellant's name
- (d) insert address and phone number of the TS office:
  - 1<sup>st</sup> line of address
  - 2<sup>nd</sup> line of address
  - 3<sup>rd</sup> line of address
  - Post code
  - Phone number
- (e) insert if the representative is not from a professional body:

An advice centre like the Citizens Advice Bureau or a local law centre can also give you free advice.

If you ask someone for help and advice you should take this letter with you.