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# **Quarterly Appeal Tribunal Statistics**

## **June 2002**

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**DWP** Department for  
Work and Pensions

**Information Centre, Information and Analysis Directorate**

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## Introduction

The Appeals Service (AS) replaced the Independent Tribunal Service (ITS) in April 1999, and encompasses both the judicial element of appeal tribunals and the administration of appeals. Under the decision making and appeals changes provided for in the Social Security Act 1998, with effect from 1 June 1999 responsibility for the administration of appeals passed from the President of the Independent Tribunals Service to the Secretary of State. The administrative side of the Appeals Service was launched as an agency within the Department of Social Security in April 2000. The judiciary remains the responsibility of the President of Appeal Tribunals.

Appeal tribunals under the Appeals Service hear appeals on decisions on Social Security, Child Support, Vaccine Damage, Tax Credit and Compensation Recovery questions throughout Great Britain; and on decisions under the Road Traffic Act in England and Wales. From 2 July 2001, AS took on the responsibility for hearing appeals on Housing Benefit and Council Tax Benefit.

This publication replaces those previously produced on the subjects of Social Security Appeal Tribunals and Medical Appeal Tribunals. Historical data back to 1993 as well as provisional figures for latest months is available from the DWP Information Centre on request (see the contact point on page 1).

Following the change of methodology as outlined in the March publication, revised figures are included in this bulletin. The time series in Table 1 is most affected by this change, and in this release comprises figures back to quarter ending September 2000.

The results contained in this publication are derived from a 100% download of cases contained on the Generic Appeals Processing System (GAPS) on the last working day of each month. These downloads are provided by the Appeals Service and sent to the DWP Information Centre (IC), Information and Analysis Directorate, for processing and publication.

All analyses are on a GB basis and exclude Northern Ireland. Additional data are collected but not published and are available on request, for example by tribunal venue.

## Main Findings

### *New lodgements (lodged by the appellant)*

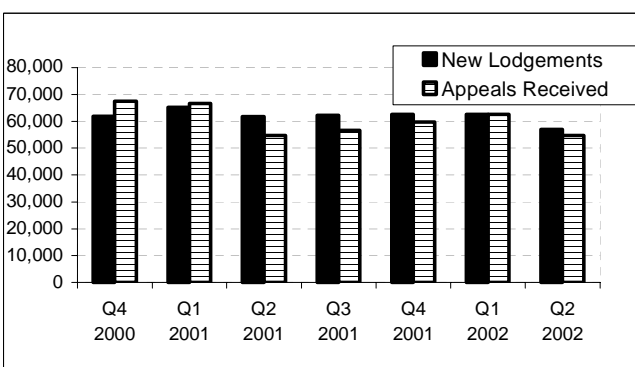
The number of new lodgements of appeals with first tier agencies in the quarter ending 30 June 2002 was 57 thousand compared with 62 thousand in the same quarter in 2001. This figure will rise as late information feeds through to the Appeals Service and onto the Generic Appeals Processing System (GAPS). In order to help overcome this, the data extract used is at least three months after the point of interest.

Disability Living Allowance (DLA) lodgements have fallen in number. Between quarters ending June 2001 and June 2002, they fell from 21,470 to 19,710 whereas Incapacity Benefit Personal Capability Assessment appeals rose from 10,285 to 11,965, largely due to clearances at IB PCA tests.

### *Appeals received by AS*

The number of appeals received by the Appeals Service in quarter ending 30 June 2002 was 54,710. This compared with 54,655 in the same quarter in 2001 and represents an increase of 0.1%. These figures are based on the date the submission was received by AS. The number of appeals received by AS have been affected by the April 1999 procedural changes, as there is now a time delay between receipt of an appeal in the first tier agencies and in AS.

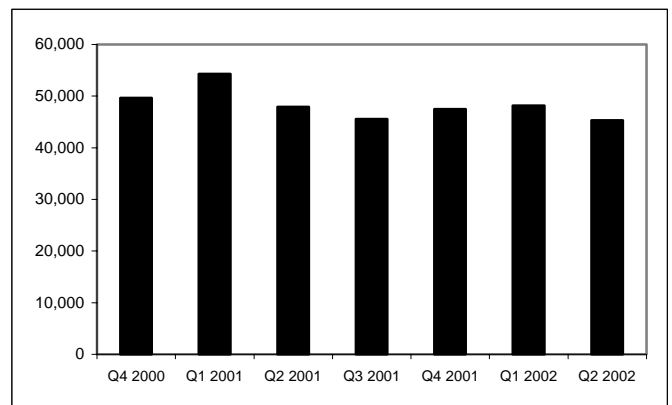
**Figure 1: Lodgements and Appeals Received, December 2000 to June 2002.**



### *Clearances*

The number of appeals cleared at hearing in quarter ending 30 June 2002 was 45,310. This compared with 47,935 in the same quarter in 2001.

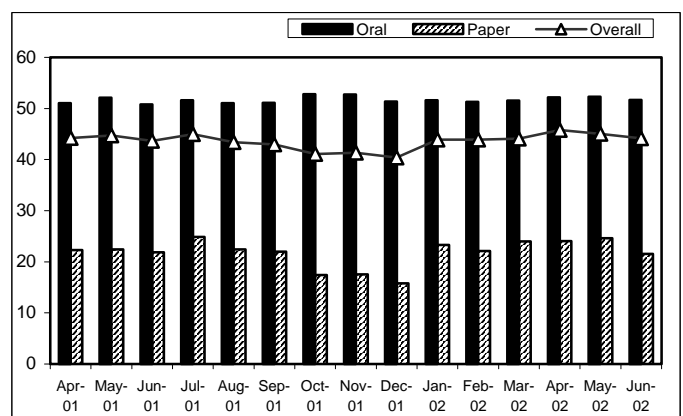
**Figure 2: Appeals cleared at hearings, December 2000 to June 2002**



### *Paper/Oral hearings*

Of the 45,310 appeals cleared at hearing in the quarter ending 30 June 2002, 75.1% (34,035) were held at oral hearings, 24.5% (11,115) were paper hearings and the remaining 0.4% (160) were domiciliary hearings. The overall percentage of appeals found in favour of the appellant was 45.1%. The proportion of decisions in favour of the appellant was higher at oral hearings (52.1%) than at paper hearings (23.5%).

**Figure 3: Percentage of appeals found in the appellant's favour at oral and paper hearings**

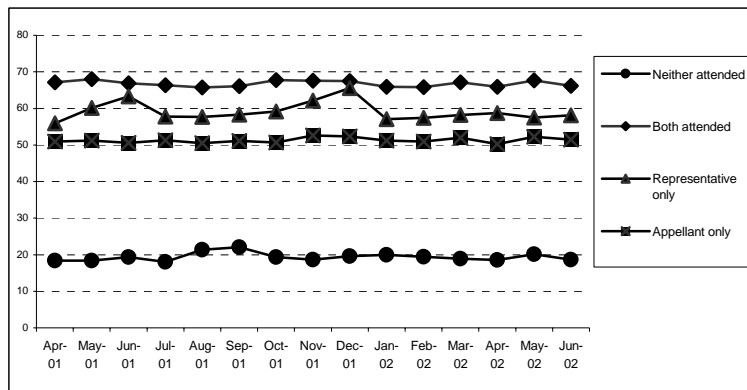


## Attendance at oral hearings

The 51.6% of appeals found in the appellant's favour at oral hearings can be further broken down by whether or not the tribunal was attended by the appellant or by their representative:

Oral hearing attended by:	% found in appellant's favour
Appellant only	51.3%
Representative only	59.0%
Both appellant and representative	67.0%
Neither	18.1%

**Figure 4: Success rates by attendance at oral hearings (%)**



## Glossary of terms and conventions

### Glossary of terms

#### *Appeal*

An appeal provides a person with an impartial re-examination of the decision under appeal.

#### *Appeal Postponed*

An appeal can be postponed by any of the parties to the proceedings at any time during the life of an appeal. This would usually be necessary if for example, the appeals officer or appellant/representative required more time to compile their body of evidence.

#### *Appeal Adjourned*

This is similar to a postponement with the notable difference that an appeal will only be adjourned at a hearing.

#### *Appeals Cleared at Hearing*

The number of appeals cleared at hearings by the Appeals Service within the reporting period. This includes appeals that are withdrawn or struck out at the hearing.

#### *Appeals Received*

The number of appeals submissions received by the Appeals Service within the reporting period. Appeals are lodged with first tier agencies prior to their receipt by the Appeals Service.

#### *Appellant*

The person who is making an appeal against a decision made on behalf of the Secretary of State.

#### *Compensation Recovery Unit (CRU)*

This is a unit that recovers benefits paid to an individual. These will usually be recovered from a compensation payment received due to an accident sustained whilst carrying out their employment duties. This accident will have rendered them unable to work and hence necessitated their claim for state benefits.

#### *Date of Lodgement*

This is the date when the appellant lodged the appeal with the first tier agency.

#### *Decided Against Appellant*

This is when an outcome of an appeal is less favourable to the appellant than the original decision.

### *Decided in Favour of Appellant*

This is where the outcome of an appeal is more favourable to the appellant than the original decision.

### *Decision Upheld*

This is an outcome of an appeal where the original decision of the Secretary of State is maintained.

### *First Tier Agencies*

The Executive Agency from where the appeal originated.

### *Generic Appeals Processing System (GAPS)*

The computer system used by the Appeals Service to process and store all information relating to current appeals. It was introduced in late 1997.

### *Lookalike Cases*

These are cases that query the same point about a benefit. They are grouped so they can be cleared simultaneously when a decision is reached on the lead case.

### *New Lodgement*

An appeal lodged by an appellant within the reporting period, usually the latest quarter.

### *Oral Hearings*

A tribunal at which an appellant has expressed an intention to attend or send a representative.

### *Paper Hearing*

A tribunal at which an appellant has opted not to attend or send a representative.

### *Personal Capability Assessment (PCA)*

This is the test which is applied to all those people who seek to claim Incapacity Benefit. It is designed to provide positive and constructive advice on a person's work related capability to help them plan a return to work. In April 2000, this test replaced the All Work Test (AWT) which assessed a person's medical incapacity for work and their subsequent entitlement to benefit.

### *Submission*

The submission is the explanation of the law and facts used to reach a decision on a particular case.

### *Withdrawn*

An appellant can withdraw an appeal at any time prior to the hearing by writing to the clerk within the Appeals Service expressing an intention not to pursue the case. No reason needs to be given.

## Conventions

	In order to maintain anonymity of claimants, all 100% figures have been rounded to the nearest 5. Totals may not add due to rounding.
..	Not available
.	Not applicable
-	Nil or Negligible
Q1	1 January to 31 March
Q2	1 April to 30 June
Q3	1 July to 30 September
Q4	1 October to 31 December

**Table 1: Quarterly and Monthly Key Statistics<sup>(1)</sup>**

Quarter	New(2) Lodgements	Appeals(3) Received	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	Appeals Decided Against Appellant	Decisions Upheld	Other Appeals Cleared at Hearing	Appeals Adjourned	Appeals Postponed	
2000 Q3	69,750	69,820	43,480	17,920	55	25,015	490	8,760	6,930	
2000 Q4	61,915	67,570	49,640	21,180	65	27,830	570	9,960	7,745	
2001 Q1	65,245	66,665	54,325	23,760	35	29,985	545	11,370	8,305	
2001 Q2	61,755	54,655	47,935	21,245	35	26,120	535	9,380	7,335	
2001 Q3	62,265	56,565	45,540	19,975	105	24,885	575	8,945	7,270	
2001 Q4	62,525	59,760	47,485	19,515	70	27,410	490	8,115	6,655	
2002 Q1	62,605	62,540	48,175	21,210	40	26,370	550	8,040	7,100	
2002 Q2	56,910 <sup>(1)</sup>	54,710	45,310	20,445	20	24,335	515	7,875	6,305	
<b>Month</b>										
2001	Jan	20,605	23,280	17,865	7,960	10	9,720	175	3,855	2,740
	Feb	22,000	20,205	18,135	7,985	10	9,960	175	3,650	2,885
	Mar	22,640	23,180	18,325	7,815	10	10,305	195	3,865	2,680
	Apr	20,440	16,800	14,535	6,445	10	7,930	150	2,810	2,235
	May	20,200	19,365	16,790	7,525	10	9,060	190	3,060	2,510
	Jun	21,115	18,490	16,610	7,270	15	9,130	190	3,510	2,590
	Jul	21,795	20,585	15,080	6,790	10	8,080	195	2,865	2,430
	Aug	21,575	19,275	15,200	6,610	20	8,380	190	3,135	2,430
	Sep	18,895	16,705	15,255	6,575	75	8,420	190	2,945	2,410
	Oct	22,760	22,170	18,025	7,415	45	10,395	170	3,085	2,540
	Nov	22,980	22,165	17,485	7,245	15	10,030	195	3,060	2,405
	Dec	16,780	15,425	11,975	4,855	10	6,985	125	1,965	1,715
2002	Jan	19,765	21,600	16,155	7,105	15	8,865	175	2,605	2,560
	Feb	22,020	20,505	15,185	6,675	10	8,325	175	2,500	2,185
	Mar	20,820	20,440	16,835	7,435	20	9,180	200	2,935	2,355
	Apr	19,870	18,460	15,310	7,035	10	8,070	195	2,640	2,170
	May	21,095	19,980	16,085	7,255	5	8,660	165	2,665	2,175
	Jun	15,940	16,270	13,915	6,155	5	7,600	155	2,575	1,955

Notes: (1) All figures are subject to change. Figures for the latest quarter may change as information feeds through to the Appeals Service.

(2) New lodgement figures are based on the date the appellant lodged the appeal.

(3) Appeals received are based on the date the appeal submission was received by the Appeals Service

**Table 2: Comparative lodgement figures by benefit<sup>(1)</sup>**

Benefit/Tax Credit	Quarter Ending	
	Quarter 2-01	Quarter 2-02 <sup>(2)</sup>
<b>Total</b>	61,755	56,910
Attendance allowance	3,050	2,655
Child benefit/one parent benefit	350	330
Child support assessments	1,285	1,180
Child support departures appeal	445	315
Child support departures referral	50	35
Contracted out employment group	-	-
Compensation recovery unit	265	315
Council Tax Benefit	95	165
Credits – statutory maternity pay	-	-
Credits – statutory sick pay	-	-
Credits approved training	-	-
Credits jury service	-	-
Disability living allowance	21,470	19,710
Disability working allowance	-	-
Disabled persons tax credit	55	55
Family credit	5	5
Home Responsibility Protection	5	-
Housing / Council Tax Benefit	410	665
Housing Benefit	530	670
Incapacity benefit (personal capability assessment)	10,285	11,965
Incapacity benefit (not personal capability assessment)	1,940	1,940
Personal capability assessment (not incapacity benefit)	315	240
Income support	7,165	5,170
Industrial death benefit	5	5
Industrial injuries disablement benefit	5,945	4,200
Invalid	-	-
Invalid Care Allowance	385	320
Jobseekers allowance	4,535	4,210
Lookalikes	-	-
Maternity allowance	25	35
Others (extinct /rare benefits)	65	305
Retirement pension	570	435
Severe Disablement Allowance	585	155
Social fund – funeral payments	725	650
Social fund – maternity payments	150	180
Vaccine damage appeals tribunals	10	5
Widows benefit	235	240
Working families tax credit	790	715
Not known	5	35

Notes: (1) Lodgement figures for the latest quarter may change as information feeds through to the Appeals Service

(2) New lodgement figures are based on the date the appellant lodged the appeal

**Table 3: Hearing outcomes by benefit and tribunal type – quarter 2, 2002**

Benefit/Tax Credit	Oral Hearings			Paper Hearings		
	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%
<b>Total</b>	<b>34,035</b>	<b>17,725</b>	<b>52.1</b>	<b>11,115</b>	<b>2,615</b>	<b>23.5</b>
Attendance allowance	1,350	780	57.8	700	225	32.1
Child benefit/one parent benefit	70	20	28.6	70	5	7.1
Child support assessments	440	195	44.3	140	35	25.0
Child support departures appeal	265	100	37.7	40	5	12.5
Child support departures referral	45	20	44.4	5	5	100.0
Coeg	-	-	..	-	-	..
Compensation recovery unit	340	280	82.4	120	75	62.5
Council Tax Benefit	95	30	31.6	15	0	0.0
Credits – statutory maternity pay	-	-	..	-	-	..
Credits – statutory sick pay	-	-	..	-	-	..
Credits approved training	-	-	..	-	-	..
Credits jury service	-	-	..	-	-	..
Disability living allowance	13,980	8,460	60.5	4,280	1,475	34.5
Disability working allowance	-	-	..	-	-	..
Disabled persons tax credit	20	5	25.0	10	5	50.0
Family credit	5	5	100.0	-	-	..
Home Responsibility Protection	-	-	..	-	-	..
Housing / Council Tax Benefit	370	135	36.5	45	5	11.1
Housing Benefit	445	160	36.0	65	15	23.1
Incapacity benefit (personal capability assessment)	6,865	3,735	54.4	2,100	260	12.4
Incapacity benefit (not personal capability assessment)	765	335	43.8	310	35	11.3
Personal capability assessment (not incapacity benefit)	150	75	50.0	50	5	10.0
Income support	2,540	1,015	40.0	940	135	14.4
Industrial death benefit	-	-	..	-	-	..
Industrial injuries disablement benefit	3,995	1,650	41.3	735	165	22.4
Invalid	-	-	..	-	-	..
Invalid Care Allowance	100	30	30.0	65	5	7.7
Jobseekers allowance	1,175	410	34.9	780	110	14.1
Lookalikes	-	-	..	-	-	..
Maternity allowance	5	-	..	-	-	..
Others (extinct /rare benefits)	55	10	18.2	40	-	..
Retirement pension	200	35	17.5	70	5	7.1
Severe Disablement Allowance	205	105	51.2	50	10	20.0
Social fund – funeral payments	225	50	22.2	180	5	2.8
Social fund – maternity payments	35	5	14.3	55	5	9.1
Vaccine damage appeals tribunals	5	-	..	-	-	..
Widows benefit	85	15	17.6	40	5	12.5
Working families tax credit	185	50	27.0	205	10	4.9
Not known	-	-	..	-	-	..

**Table 4: Key statistics by regional office – quarter 2, 2002**

Regional Centre	New <sup>(1)(2)</sup> Lodgements	Appeals <sup>(3)</sup> Received	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	Percentage Decided in Favour	Appeals Decided Against Appellant	Decisions Upheld	Other Appeals Cleared at Hearing	Appeals Adjourned	Appeals Postponed
<b>Total</b>	<b>56,910</b>	<b>54,710</b>	<b>45,310</b>	<b>20,445</b>	<b>45.1</b>	<b>20</b>	<b>24,335</b>	<b>515</b>	<b>7,875</b>	<b>6,305</b>
Birmingham	6,190	6,220	4,560	1,885	41.3	5	2,630	40	840	480
Cardiff	7,750	7,360	6,730	3,060	45.5	-	3,615	50	1,170	1,000
Glasgow	8,520	7,855	7,170	3,630	50.6	5	3,385	155	1,570	1,185
Leeds	5,630	5,285	4,750	1,925	40.5	5	2,765	55	580	655
Liverpool	5,235	5,180	4,335	2,010	46.4	5	2,285	35	755	435
Newcastle	4,945	4,425	3,680	1,680	45.7	-	1,970	30	600	610
Nottingham	8,940	8,670	6,820	2,840	41.6	5	3,880	95	1,235	1,110
Salford	3,565	3,660	2,840	1,190	41.9	-	1,615	30	535	420
Sutton	6,135	6,055	4,425	2,215	50.1	-	2,190	20	590	415

Notes: (1) New Lodgement figures are based on the date the appellant lodged the appeal.

(2) Lodgement figures for the latest quarter may change as information feeds through to the Appeals Service.

(3) Appeals received are based on the date the appeal submission was received by the Appeals Service.

**Table 5: Hearing outcomes by type of attendance and benefit – quarter 2, 2002**

	All attendances			Appellant only attended		
	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%
<b>Total</b>	<b>28820</b>	<b>17,290</b>	<b>60.0</b>	<b>12,135</b>	<b>6,180</b>	<b>50.9</b>
Attendance allowance	1215	765	<b>63.0</b>	310	170	54.8
Child benefit/one parent benefit	50	20	<b>40.0</b>	30	5	16.7
Child support assesments	310	170	<b>54.8</b>	245	135	55.1
Child support departures appeal	195	85	<b>43.6</b>	150	60	40.0
Child support departures referral	30	20	<b>66.7</b>	25	15	60.0
Compensation recovery unit	295	250	<b>84.7</b>	105	90	85.7
Council Tax Benefit	55	25	<b>45.5</b>	40	15	37.5
Credits approved training	-	-	..	-	-	..
Disability living allowance	12685	8355	<b>65.9</b>	4,330	2,495	57.6
Disabled persons tax credit	10	5	<b>50.0</b>	5	-	..
Family credit	5	1	<b>20.0</b>	5	5	100.0
Home Responsibility Protection	-	-	..	-	-	..
Housing / Council Tax Benefit	240	120	<b>50.0</b>	125	55	44.0
Housing Benefit	320	145	<b>45.3</b>	165	65	39.4
Incapacity benefit (personal capability assessment)	5855	3660	<b>62.5</b>	2,755	1,500	54.4
Incapacity benefit (not personal capability assessment)	555	320	<b>57.7</b>	270	135	50.0
Personal capability assessment (not incapacity benefit)	115	70	<b>60.9</b>	60	30	50.0
Income support	1835	945	<b>51.5</b>	860	365	42.4
Industrial death benefit	-	-	..	-	-	..
Industrial injuries disablement benefit	3560	1685	<b>47.3</b>	1,645	670	40.7
Invalid Care Allowance	80	30	<b>37.5</b>	45	10	22.2
Jobseekers allowance	700	360	<b>51.4</b>	515	235	46.0
Lookalikes	-	-	..	-	-	..
Maternity allowance	5	-	..	5	-	66.7
Retirement pension	125	30	<b>24.0</b>	80	15	18.3
Severe Disablement Allowance	165	105	<b>63.6</b>	85	50	59.5
Social fund – funeral payments	155	45	<b>29.0</b>	100	20	20.0
Social fund – maternity payments	25	5	<b>20.0</b>	15	-	..
Vaccine damage appeals tribunals	-	-	..	-	-	..
Widows benefit	65	15	<b>23.1</b>	40	10	25.0
Working families tax credit	135	50	<b>37.0</b>	100	25	25.0
Others (extinct /rare benefits)	40	5	<b>12.5</b>	30	5	16.7

**Table 5 (cont.): Hearing outcomes by type of attendance and benefit – quarter 2, 2002**

Benefit/Tax Code	Representative only attended			Both attended		
	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%
<b>Total</b>	<b>1,730</b>	<b>1,035</b>	<b>59.8</b>	<b>14,955</b>	<b>10,075</b>	<b>67.4</b>
Attendance allowance	190	140	73.7	715	455	63.6
Child benefit/one parent benefit	5	5	100.0	15	10	66.7
Child support assessments	15	5	33.3	55	30	54.5
Child support departures appeal	5	-	..	40	20	50.0
Child support departures referral	5	-	..	5	5	100.0
Compensation recovery unit	170	140	82.4	20	15	75.0
Council Tax Benefit	5	-	..	15	10	66.7
Credits approved training	-	-	..	-	-	..
Disability living allowance	725	495	68.3	7,625	5,365	70.4
Disabled persons tax credit	-	-	..	5	-	..
Family credit	-	-	-	-	-	..
Home Responsibility Protection	-	-	-	-	-	..
Housing / Council Tax Benefit	15	5	33.3	100	60	60.0
Housing Benefit	25	10	40.0	130	75	57.7
Incapacity benefit (personal capability assessment)	165	80	48.5	2,935	2,080	70.9
Incapacity benefit (not personal capability assessment)	35	15	42.9	250	170	68.0
Personal capability assessment (not incapacity benefit)	-	-	..	55	40	72.7
Income support	200	100	50.0	775	480	61.9
Industrial death benefit	-	-	..	-	-	..
Industrial injuries disablement benefit	80	10	12.5	1,830	1,000	54.6
Invalid Care Allowance	10	5	50.0	30	20	66.7
Jobseekers allowance	30	15	50.0	155	105	67.7
Lookalikes	-	-	..	-	-	..
Maternity allowance	-	-	..	-	-	..
Retirement pension	15	5	33.3	25	10	40.0
Severe Disablement Allowance	10	5	50.0	70	50	71.4
Social fund – funeral payments	10	5	50.0	40	20	50.0
Social fund – maternity payments	-	-	..	5	5	100.0
Vaccine damage appeals tribunals	-	-	..	-	-	..
Widows benefit	5	-	..	20	10	50.0
Working families tax credit	5	-	..	30	20	66.7
Others (extinct /rare benefits)	-	-	..	5	5	100.0

**Table 5 (cont.): Hearing outcomes by type of attendance and benefit - quarter 2, 2002**

	Not attended			Attendance details not known		
	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%	Appeals Cleared at Hearing	Appeals Decided in Favour of Appellant	%
	<b>6,025</b>	<b>1,125</b>	<b>18.7</b>	<b>10,465</b>	<b>2,025</b>	<b>19.4</b>
Attendance allowance	195	70	35.9	665	190	28.6
Child benefit/one parent benefit	20	-	..	70	5	7.1
Child support assesments	145	40	27.6	125	20	16.0
Child support departures appeal	70	15	21.4	35	5	14.3
Child support departures referral	15	5	33.3	-	-	..
Compensation recovery unit	55	40	72.7	115	70	60.9
Council Tax Benefit	40	5	12.5	15	-	..
Credits approved training	-	-	..	-	-	..
Disability living allowance	1,755	525	29.9	3925	1125	28.7
Disabled persons tax credit	5	-	..	10	5	50.0
Family credit	-	-	..	-	-	..
Home Responsibility Protection	-	-	..	-	-	..
Housing / Council Tax Benefit	135	15	11.1	40	5	12.5
Housing Benefit	130	15	11.5	60	15	25.0
Incapacity benefit personal capability assessment)	1,065	130	12.2	2055	210	10.2
Incapacity benefit (not personal capability assessment)	225	20	8.9	300	30	10.0
Personal capability assessment (not incapacity benefit)	35	5	14.3	50	5	10.0
Income support	735	90	12.2	915	120	13.1
Industrial death benefit	-	-	..	-	-	..
Industrial injuries disablement benefit	570	60	10.5	625	85	13.6
Invalid Care Allowance	35	5	14.3	55	-	..
Jobseekers allowance	485	55	11.3	770	105	13.6
Lookalikes	-	-	..	-	-	..
Maternity allowance	5	-	..	-	-	..
Retirement pension	80	5	6.3	65	-	..
Severe Disablement Allowance	50	10	20.0	45	5	11.1
Social fund – funeral payments	70	5	7.1	180	5	2.8
Social fund – maternity payments	10	-	..	55	5	9.1
Vaccine damage appeals tribunals	5	-	..	-	-	..
Widows benefit	20	-	..	40	5	12.5
Working families tax credit	55	5	9.1	200	10	5.0
Others (extinct /rare benefits)	15	-	..	45	-	..