

Appendix 2

Draft letters

What Appendix 2 contains

Appendix 2 contains:

- a list of DL/SUSTERM letters
- instructions on how to use the draft letters, **and**
- the draft letters in numerical order

List of DL/SUSTERM letters

Draft letter	Use	Replaced
• DL/SUSTERM 1	Letter to customer when payment benefit has been suspended	DLIS/221
• DL/SUSTERM 1A	Letter to customer - payment of 'DLA or AA' has been suspended	
• DL/SUSTERM 1B	Letter to customer where payment of benefit has been suspended in fraud cases	
• DL/SUSTERM 2	Letter to customer when their award of benefit has been terminated	
• DL/SUSTERM 3	Suspended benefit/stayed award can be paid	
• DL/SUSTERM 4	Minute to LA informing them benefit has been suspended/ terminated	DLIS/226 (no JSA equivalent)
• DL/SUSTERM 5	Minute to LA informing them that suspension question has been decided	DLIS/227 (no JSA equivalent)

Appendix 2

Draft Letters
(List of DL/CAP letters)

- **DL/SUSTERM 6** Letter to tell appellant that tribunal's decision may not be acted upon as Decision Maker may appeal to the Commissioner DL/CAP13
- **DL/SUSTERM 7** Letter to appellant that the Decision Maker has, or has not, appealed to the Commissioner DL/CAP14
- **DL/SUSTERM 8** Letter to tell the appellant that the Decision Maker has, or has not, appealed to the Social Security Commissioner (Overpayment) DL/CAP14a
- **DL/SUSTERM 9** Letter to tell the customer that a decision on their benefit has been stayed

How to use the draft letters

Draft letters are for use when it is necessary to use a standard form of wording, but the numbers of letters used would not justify printing a form.

You should not change the wording used in these draft letters.

The Guide tells you when to use a particular draft letter. The heading of the letter also gives a brief description of what the letter is about.

When you send a letter we suggest you keep a copy with the other papers relating to the claim.

Variable text

You can personalise many of the letters by inserting or deleting variable text. Variable text is always indicated by a letter in brackets, for example (a), (b), (c). Usually the letters are lower case. But if a letter contains more than 26 variables, after (z) the variables are indicated by upper case letters in brackets, for example (A), (B), (C). When giving instructions to typists it is important to distinguish between lower case and upper case letters. The Notes at the end of each letter tell you how to use the variable text in that particular letter.

There are three different types of variable text in these letters.

Replacement items

These are indicated when the letter in brackets occurs in the text on its own.

You will have to tell the typist what word or words to replace the letter with. If the same word or words occur later in the draft letter they will be indicated by the same letter in brackets. The Notes will help you decide what word or words to use. For example:

I am pleased to tell you that the Decision Maker has decided that you can get (a) for your partner, (b).

I have sent you a giro for £(c). This is the money for (b) from (d) to (e).

Notes

- (a) name of benefit
- (b) name of partner
- (c) amount of benefit for partner
- (d)(e) dates

Optional items

These are indicated by a block of text in square brackets after the letter in brackets. The text in the square brackets is optional. The Notes will tell you when to include it.

For example:

You now have to pay £(f) each week. (g)[I wrote to you on (h) about how much you have to pay. But the amounts I told you about have changed.

You now have to pay this new amount.]

Notes

- (f) amount
- (g) use if amounts have changed
- (h) date

Sometimes optional items are found within optional items. This works in exactly the same way. For example:

Please send back your order book. Use the envelope I have sent you. It does not need a stamp. (e)[I will send you a new order book for the new amount of your benefit (f)[and a giro for the money we owe you from (g)] as soon as I can.]

Notes

- (e) use if new order book to be sent
- (f) use if arrears to be sent by giro
- (g) date arrears due from

If you choose, for example, to include (e) but not (f) the letter would read:

Please send back your order book. Use the envelope I have sent you. It does not need a stamp. I will send you a new order book for the new amount of your benefit as soon as I can.

You must check carefully where the square brackets end. Sometimes the optional items can contain more than one paragraph.

Alternative items

These are like optional items, but instead of one optional block of text in the square brackets, there will be two or more alternative blocks of text. Each alternative will be indicated by a letter, the same as the letter before the square brackets, and a number. Only one alternative must be used in the letter. The Notes will help you decide which. For example:

Thank you for sending us your claim form. You told us that (a)

[a.1 you are
a.2 (b) is
a.3 you and (b) are] self-employed.

Notes

- (a) use a.1 if customer is self-employed
use a.2 if customer's partner is self-employed
use a.3 if both customer and partner are self-employed
- (b) name of partner

As with optional items sometimes there will be alternative items within alternative items. For example:

Please tell us if (a)

[a.1 you stop
a.2 your (b)[b.1 husband b.2 wife] stops
a.3 you or your (b)[b.1 husband b.2 wife] stops] work.

Notes

- (a) use a.1 if customer works
use a.2 if customer's partner works
use a.3 if both customer and partner work
- (b) use b.1 or b.2 as appropriate

If you choose, for example, to use a.2 and b.1 the letter would read

Please tell us if your husband stops work.

As with optional items, alternative items can contain more than one paragraph.

Information to tell the typist

When asking for a draft letter from the typist, give them the following information:

- The number of the draft letter
- The name of the person the letter is to be sent to, as it appears on the address, for example Mr H Murray
- The address of the person the letter is to be sent to
- The reference number. Usually this is the person's NINO
- The date to appear on the letter. Write the name of the month in full, do not use numbers. For example 12 January 1993, not 12/1/93
- The name to be used in the salutation, that is after 'Dear', for example 'Dear Mr Murray'
- The letters indicating any replacement items and the text to be inserted, for example:
 - (a) Anne Murray
 - (b) 10.25
 - (c) 7 January 1993
 - (d) 13 January 1993

Always write any name of the month in full, never use numbers.

- The letters of any optional items to be included. Do not give the letters of optional items that are not to be included
- The letters of any alternative items to be included. Do not give the letters of alternative items that are not to be included
- Name of the officer signing the letter
- How many copies of the letter are required

Remember, always check the letter thoroughly before sending it to a customer.

Appendix 2

DL/SUSTERM 1

Letter to customer when payment of benefit has been suspended

Dear (title) (surname)

About your (a)

I am writing to tell you that (b)

We have decided (f)

(j)

We need some information from you to help us decide if (k). Please answer the following questions

(l)

Please send us your reply by (m). If you do not send us this information we may cancel your entitlement to benefit. Please tell us straight away if you cannot give us this information.

When you send us your reply you can use the envelope we have sent you. It does not need a stamp.

If your circumstances change it may affect the amount of benefit you get. Please tell us about any changes in your circumstances.

You cannot appeal against this decision. However, if this decision causes you hardship, please get in touch with us.

If you want more information please get in touch with us. Our address and phone number are at the top of this letter. An advice centre like the Citizens Advice Bureau or a local law centre can also give you free advice.

Yours sincerely

(insert initials and surname of sender)

Notes for completion

- (a) insert name of benefit
- (b) use the correct option
 - (b1) we cannot pay you (a) from (c)
 - (b2) we will pay you less (a) from (c). This is because (d)
- (c) insert the date from which doubt exists
- (d) use the correct option
 - (d1) you may not be entitled to (a) from (e)
 - (d2) you may not have been entitled to (a) from (e)
 - (d3) you may not be entitled to as much (a) as we have been paying you.
- (e) insert the date from which doubt exists
- (f) use the correct option
 - (f1) to stop paying £(g) from (h).
 - (f2) to stop paying benefit we already owe you from (i).
- (g) insert the amount of benefit suspended. If it is all put the full amount. If it is part say which part e.g. £xx.xx of your income based Jobseeker's Allowance. This is the amount we pay because you have a child with special needs.
- (h) insert date
- (i) insert date
- (j) insert if the benefit suspended is Jobseeker's Allowance:
We will write to the local council to tell them about our decision
- (k) insert correct option
 - (k1) we can pay you (a) again.
 - (k2) we can pay you the full amount of (a) again
- (l) insert questions as required
- (m) insert date reply needed by

Appendix 2

DL/SUSTERM 1A

Letter to customer - payment of DLA or AA has been suspended

Dear (Title) (Surname)

About your (a)

I am writing about the letter we sent you on (b). (c)

Because (e)

We have decided that from (f) we will stop paying you (a)

You cannot appeal against this decision.

If you want us to look again at the amount of benefit we can pay you, you must (g)

If you do not send us this information by (i) we may stop your benefit.

If you want more information, please get in touch with us. Our address and phone number are at the top of this letter. An advice centre like the Citizens Advice Bureau or a local law centre can also give you free advice.

Yours sincerely

(insert initials or first name and surname of sender)

Notes for completion

- (a) insert the name of the benefit
- (b) insert the date the first letter was sent
- (c) insert correct option
 - (c1) We asked you to fill in a questionnaire and send it back to us. We need the information to decide if we are paying you the right amount of benefit.
 - (c2) We asked you to reply to this letter. We need the information to decide if we are paying you the right amount of benefit.
 - (c3) We looked at your claim and we have decided that (d)
- (d) Insert correct option:
 - (d1) you may not be entitled to (a)
 - (d2) you may not be entitled to as much (a)
- (e) insert correct option:
 - (e1) you have not sent back the questionnaire we are not sure if we are paying you the right amount of (a)
 - (e2) you have not replied to the letter we are not sure if we are paying you the right amount of (a)
 - (e3) we looked at your claim again we are not sure if we are paying you the right amount of (a)
- (f) insert date payment of benefit will stop
- (g) insert correct option
 - (g1) send us the information we have asked for as soon as possible.
 - (g2) send us the following information as soon as possible. (h)
- (h) insert the information that is needed.
- (i) insert the date the information is needed by.

Appendix 2

DL/SUSTERM 1B

Letter to customer where benefit has been suspended in fraud cases

Dear (Title) (Surname)

About your (a)

I am sorry to say that you will not be paid any more (a) at the moment.

This is because (b)

There is no right of appeal against this decision.

(d)

Yours sincerely

(insert first name and surname of sender)

Appendix 2

Draft Letters
(DL/SUSTERM 1B)

Notes for DL/SUSTERM 1B

(a) insert name of benefit

(b) use correct option

(b1) a doubt has arisen about your continued entitlement to (a). As a result we have suspended payment of this benefit until further notice.

(b2) Further to your interview on (c) a doubt has arisen about your continued entitlement to (a). Because of this we have suspended payment of this benefit until further notice.

(c) insert date of interview

(d) use correct option

(d1) After (e) you will not receive another cheque payment for (a) until further notice.

(d2) (e) was/will be the last date on which we will make direct payment of benefit into your account until further notice.

(e) insert date.

Appendix 2

DL/SUSTERM 2

Letter to customer when entitlement to benefit has been terminated

Dear (Title) (Surname)

About your (a)

I am writing to tell you that you are no longer entitled to (a). This is because (b).

If you want to know more about this decision or if you think it is wrong

Please contact us and we will give an explanation. You can contact us by telephone or in writing. You should contact us within **one month** of the date of this letter, or we may not be able to consider any dispute. Our address and telephone number are at the top of the front page of this letter.

What happens after the decision is looked at again

If the decision can be changed we will send you a new decision. If we cannot change the decision we will tell you why. You will still have the right of appeal against the decision.

How to appeal

If you want to appeal you should fill in the form leaflet GL24. Please send it to the address at the top of the front page of this letter within one month of the date of this letter. You can get this leaflet from any Social Security office or Jobcentre. An independent appeal tribunal will hear your appeal.

Yours sincerely

(insert initials and surname of sender)

Notes for completion

- (a) insert name of benefit
- (b) insert the correct option
 - (b1) you have not sent us the information that we asked for on (c).
 - (b2) we asked you to get in touch with us to arrange an interview about your claim. You have not done this.
 - (b3) you have not given us a good reason for not attending the last two medical examination appointments.
- (c) insert the date we asked for the information.

Appendix 2

DL/SUSTERM 3

Suspended benefit/stayed award can be paid

Dear (Title) (Surname)

About your (a)

I am writing about the letter we sent you on (b). We told you that (c)

We have now decided that from (e) we can pay you (a). We will write to you again telling you how we will pay you.

(f)

You cannot appeal against this decision. However if this decision causes you hardship, please get in touch with us.

Yours sincerely

(insert initials or first name and surname of sender)

Notes for completion

- (a) insert name of benefit
- (b) insert date we told customer we could not pay benefit
- (c) insert correct option
 - (c1) we had decided to reduce your (a) by £(d) from (e).
 - (c2) we could not pay £(d) of your (a) from (e) because of an appeal to the social security commissioner or higher court about a case like yours.
- (d) insert amount of benefit
- (e) insert date
- (f) insert correct option if we have arrears to pay.
 - (f1) I am sending a cheque payment for £(d) with this letter. This is the money we owe you from (e) to (e)
 - (f2) The money that we owe you from (e) to (e) is being paid directly into your payment account.

Appendix 2

DL/SUSTERM 4

Minute to LA informing them benefit has been suspended/terminated

To (a)

Name: (b)

National Insurance number (c)

Address (d)

I am writing to tell you that we have (e) the (f) from (g) for (h)

We have written to (h) to tell them about this decision.

(i)

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

Yours sincerely

(insert initials or first name and surname of sender)

Appendix 2

Draft Letters
(DL/SUSTERM 4)

Notes for completion

- (a) insert name of LA
- (b) insert customer's full name
- (c) insert customer's national insurance number
- (d) insert customer's address
- (e) insert correct option
 - (e1) terminated
 - (e2) suspended
- (f) insert name of benefit
- (g) insert date benefit suspended or terminated from
- (h) insert customers title and surname
- (i) insert following text if benefit has been suspended
If we reinstate the (f) we will write and tell you.

Appendix 2

DL/SUSTERM 5

Minute to LA informing them that suspension question has been decided

To: (a)

Name: (b)

National Insurance number (c)

Address (d)

We told you on (e) that we had suspended the (f) for (b) from (h).

We have decided that (g).

We have told the customer of this decision.

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

Yours sincerely

(insert initials or first name and surname of sender)

Notes for completion

- (a) insert local authority
- (b) insert customer name
- (c) insert customers national insurance number
- (d) insert customers address
- (e) insert date the letter was sent to LA
- (f) insert name of benefit that is suspended
- (g) insert correct option
 - (g1) the suspension can be lifted from (h)
 - (g2) they are not entitled to benefit from (h)
 - (g3) full benefit can be paid from (h)
 - (g4) entitlement to benefit ended on (h)
- (h) insert date of suspension.

Appendix 2

DL/SUSTERM 6

Letter to customer when payment of benefit has been suspended or tribunal's decision is not being implemented pending an appeal

Dear (Title) (Surname)

About your (a)

I am writing to tell you that (b)

(g)

You have no right of appeal against this decision. However, if this decision causes you hardship please get in touch with us.

If your circumstances change it may affect the amount of benefit you get. Please tell us about any changes in your circumstances.

We will write to tell you what happens next. But if you want more information please get in touch with us. Our address and telephone number are at the top of this letter. An advice centre like Citizens Advice or a local law centre can also give you free advice.

Yours sincerely

(insert initials and surname of sender)

Notes for completion

- (a) insert name of benefit
- (b) use correct option
 - (b1) we can only pay you (c) each week from (d). This is because (e)
 - (b2) we cannot pay you any (a). This is because (e)
- (c) insert amount of benefit to be paid. If appropriate in AA/DLA cases state also which component is being paid.
- (d) insert date(s)
- (e) use correct option
 - (e1) we are applying for a statement of reasons from the Appeals Service for the decision made on (d) and may appeal against the tribunal's decision.
 - (e2) we are considering whether to appeal against the decision of the (f) made on (d).
 - (e3) we are awaiting the result of the Secretary of State's appeal against the decision of the (f) made on (d).
- (f) use correct option
 - (f1) appeal tribunal
 - (f2) Social Security Commissioner
 - (f3) Court of Appeal
 - (f4) Court of Session
- (g) insert if decision is about an overpayment:

The (f) has decided that you do not have to pay back the overpayment of £(h). This decision may change if we decide to appeal.
- (h) insert amount of overpayment

Appendix 2

DL/SUSTERM 7

Letter to appellant that the Decision Maker has, or has not, appealed to the Commissioner or higher Courts

Dear (Title) (Surname)

About your appeal

I am writing because we told you that we may appeal against the decision of the (a) dated (b).

We have now (c) against this decision.

(d)

(e)

(f)

(i)

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

Yours sincerely

(insert initials and surname of sender)

Notes for completion

- (a) insert correct option:
- (a1) appeal tribunal
 - (a2) Social Security Commissioner
 - (a3) Court of Appeal
 - (a4) Court of Session
- (b) insert date of decision being appealed against
- (c) use as appropriate:
- (c1) appealed
 - (c2) applied for leave to appeal
 - (c3) petitioned for leave to appeal
 - (c4) decided not to appeal
- (d) use as appropriate
- We have been granted leave to appeal and will make an appeal.
- (e) use as appropriate
- As you may know, the tribunal has refused us leave to appeal to the Commissioner. This is to tell you that we will now apply direct to the Commissioner for leave to appeal.
- (f) insert if payments, including hardship, are continuing:
We will pay you £(g) a week (h) until the appeal is decided.
- (g) insert amount of weekly payment
- (h) insert name of benefit
- (i) insert if hardship being paid
- This is because we think you will suffer hardship if we do not pay.

Appendix 2

DL/SUSTERM 8

Letter to tell the appellant the Decision Maker has, or has not, appealed to the Social Security Commissioner (Overpayment)

Dear (Title) (Surname)

About your appeal

I am writing because we told you that we may appeal against the decision of the (a) dated (b)

We have (c)

(g)

If you want more information, please get in touch with us. Our address and phone number are at the top of this letter. An advice centre like the Citizens Advice Bureau or a local law centre can also give you free advice.

Yours sincerely

(insert initials and surname of sender)

Notes for completion

- (a) insert correct option
 - (a1) appeal tribunal
 - (a2) Social Security Commissioner
 - (a3) Court of Appeal
 - (a4) Court of Session
- (b) insert date of the decision being appealed against
- (c) insert correct option
 - (c1) decided not to appeal. (d)
 - (c2) appealed. You will not have to pay any money back until this appeal is decided. We will write to you again about this.
 - (c3) applied for leave to appeal. You will not have to pay any money back until this appeal is decided. We will write to you again about this.
 - (c4) petitioned for leave to appeal. You will not have to pay back any money until this appeal is decided. We will write to you again about this.
- (d) (d1) This means that you will not have to repay the £(e) we said you were not entitled to.

(d2) This means that you will not have to repay the £(e) we said you were not entitled to, but you will still have to pay back (f). We will write to you again about how to pay back the money.
- (e) insert amount of overpayment
- (f) insert balance to be repaid in partial recovery cases
- (g) use as appropriate:

As you may know, the tribunal has refused us leave to appeal to the Commissioner. This is to tell you that we will now apply direct to the Commissioner for leave to appeal. You will not have to pay back any money until this appeal is decided. We will write to you again about this.0.

Appendix 2

DL/SUSTERM 9

Letter to tell the customer that a decision on their benefit has been stayed

Dear (Title) (Surname)

About your claim for (a)

I am writing to tell you that we cannot pay (b) (a). This is because there is a case like yours that has an appeal to the (c). We will make a decision on (d) when we know the result of that appeal.

(e) We will pay you £(f) from (g) because this is not affected by the case with the (c).

You cannot appeal against this decision. However, if the decision will cause you hardship, or if your circumstances change, please let us know.

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

Yours sincerely

(insert initials and surname of sender)

Notes for completion

- (a) insert name of benefit
- (b) use correct option
 - (b.1) some of your
 - (b.2) you
- (c) use correct option
 - (c.1) Social Security Commissioner
 - (c.2) Court of Appeal
 - (c.3) Court of Session
 - (c.4) The Supreme Court
- (d) use correct option
 - (d.1) your claim
 - (d.2) your application for a reconsideration of the decision on your claim
 - (d.3) your application for a reconsideration of your award
- (e) insert this paragraph if a part payment of benefit is payable
- (f) insert amount of benefit payable
- (g) insert the date benefit payable from