

Gatekeeper Memo / Information Alert

To: BD Group Managers From: Xxxxx xxxxxx
CCS Group Managers Benefit Business Partner Team
District Managers

Cc: Xxx xxxxxxxxxx Tel: Xxxx xxxxxxxx
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Date: 2 March 2015

Explanation in the Mandatory Reconsideration Process

Admin Use: Gatekeeper Number	03.15.38
Issue	Explanations in the Dispute Process
Action	To remind all staff of the correct process
Action required by	All staff who deal with customers seeking explanations, mandatory reconsiderations or disputing a decision
Timing	Immediate
Operations priority this action supports	Turnaround Times Redials
Name and details of contact in case of queries	Xxxx xxxxxxxx Xxx xxxxxxxx

Background

We have received a number of contacts from customers and Customer Representative Groups (CRG) about misunderstanding in the Dispute process. These are mainly around the Mandatory Reconsideration (MR). The queries raised clearly show that there is widespread misunderstanding of the Dispute Process. Below are some of the complaints raised and clarification of the correct processes

DWP staff are advising customers they must specify they want a MR
“Mandatory Reconsideration” is DWP terminology. It is not necessary for the customer to use those exact words in order to raise a dispute.
If a customer advises us they disagree with a decision, want us to look at it again, ask for a review, ask to appeal etc. the request should be treated as a request for an MR whether it is made in writing or verbally.

DWP staff are advising customers and advisers that they must have an explanation or a review before they can apply for an MR, and in some cases being told that 2 explanations are required (one verbal and one written) before an MR can be requested

It was never the intention that full verbal or written explanations should be a mandatory requirement prior to an MR. The explanation, whether verbal or written, is a discretionary step and whether to undertake one should be driven by the customer.

When a customer contacts DWP to dispute a decision they should be offered a full verbal and / or written explanation, but if the customer declines the offer (they may have had a previous explanation or they understand the decision but dispute it) they should then be referred straight for an MR.

MR responses are not described as such, meaning customers think they need to ask for an MR again rather than appealing

A Mandatory Reconsideration Notice should be sent in all cases where an MR decision outcome has been made.

DWP staff are effectively advising customers that it is not worth Appealing or indeed requesting an MR

Customers must be given the correct advice when contacting the Department to dispute a decision. If a customer thinks a decision is wrong we must follow the process outlined in this memo.

MR requests not being accepted by phone

All staff need to be aware that MRs can be accepted by phone and requests made by this route should be accepted without question.

Written requests for MRs not being received

All staff must be aware that written requests for an MR could be received and all correspondence should be checked to ensure MR requests are picked up as soon as possible on receipt by DWP

Refusal to accept late MRs

Acceptance of late MRs should be at the discretion of the Dispute Decision Maker and based on evidence provided by the customer for their reasons for the late submission.

For any queries please contact: xxx xxxxx

Xxxx xxxx

Benefit Delivery Business Partner Team

Note: information has been redacted, annotated as xxxxxxxx under s40(2) of the Fol Act 2000.