



S O C I A L  
S E C U R I T Y  
A G E N C Y

# Information sheet

## Jobseeker's Allowance Disagreeing with a decision

**This information sheet tells you what to do if you disagree with a decision on Jobseeker's Allowance.**

Use this sheet to find out

- about the decisions
- Jobseeker's Allowance decisions
- if you want to know more about this decision or if you think the decision is wrong
- what happens if you ask us to look at the decision again
- how to appeal
- what happens after you appeal
- joint claims for Jobseeker's Allowance
- help with expenses if you appeal
- where to get more information
- the Customer Charter.

**INF1 (JSA) NI 04/11**



## About the decisions

We make decisions about Jobseeker's Allowance on behalf of the Department for Social Development. We decide whether the law says you are entitled to benefit or not. We also decide how much benefit you are entitled to.

You have the right of appeal against some of our decisions.

Jobseeker's Allowance is the main benefit we can pay if you are out of work and looking for work.

There are two types of Jobseeker's Allowance.

- The first type is *contribution-based Jobseeker's Allowance*. We can pay this for up to 182 days. It's based on how much National Insurance you have paid in the last two relevant tax years. Generally, self-employed contributions will not help you qualify for contribution-based Jobseeker's Allowance.
- The second type is *income-based Jobseeker's Allowance*. It's based on your income and savings.

If both of these apply to you, you will normally get the type of Jobseeker's Allowance which is the highest. If you are entitled to both income-based and contribution-based Jobseeker's Allowance at the same rate, you will get contribution-based Jobseeker's Allowance.

We will treat money you get from a personal or occupation pension as income, and this may affect the amount of Jobseeker's Allowance we can pay you.

If you get income-based Jobseeker's Allowance, we will take off the full weekly amount of your personal or occupational pension. If you get contribution-based Jobseeker's Allowance, we will take off any personal or occupational pension over £50 a week.

## About the decisions *(continued)*

This decision is based on your circumstances. If you disagree with the decision check the letter about the decision to see how your claim was worked out.

If you disagree with our record of your National Insurance contributions, tell us straight away. We will ask you to send us evidence of your earnings, like your P60. We will check your contribution record again and tell you the result. If you still disagree, you can ask for a formal Departmental decision.

If you disagree with the decision on how much the law says you need to live on, tell us straight away.

## Who to contact about decisions

If you need more information about a decision on **Jobseeker's Allowance**, contact your local Social Security or Jobs & Benefits office. You can phone, write or call in and ask for a detailed explanation.

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

Please get in touch with us, by phone or in writing, within one month of the date of this letter. If you contact us later we may not be able to help you. Our address and phone number are on the front page of this letter.

You, or someone else who has authority to act on your behalf, can

- ask for an explanation
- ask for a written statement of reasons for our decision
- ask us to look again at the decision to see if it can be changed. There may be some facts you think we have overlooked or you may have more information which affects the decision.
- appeal against the decision. Please see below for more information.

You can do any of the actions listed above, or you can do all of them.

You can find more information about decision making and appeals in leaflet **GL24** *If you think our decision is wrong*.

## What happens if you ask us to look at the decision again

If we can change the decision, we will send you a new decision.

If we cannot change the decision, we will send you a letter telling you why. You will have one month from the date of that letter to appeal if you still disagree with the decision.

## How to appeal

Your appeal must be in writing. You can fill in the form in leaflet **GL24** *If you think our decision is wrong* or you can write to us. You must tell us which decision your appeal is against and give your reasons for the appeal.

You can get a copy of leaflet **GL24** from

- your local Social Security or Jobs & Benefits office,
- our website at [www.nidirect.gov.uk/social-security-appeals-and-complaints-leaflets.htm](http://www.nidirect.gov.uk/social-security-appeals-and-complaints-leaflets.htm)
- An Advice Centre.

Please send your appeal to the office where you signed on. The address will be on the top of the decision letter.

Your appeal will be heard by an independent appeal tribunal.

## What happens after you appeal

We will send a copy of our appeals response to you, your representative if you have one, and The Appeals Service. The Appeals Service will also send you a form before the hearing. You must send this form back to The Appeals Service within 14 days.

## Joint claims for Jobseeker's Allowance

If you have made a joint claim for Jobseeker's Allowance you must share the information in this sheet with each other. You both have the right of appeal. One or both of you can appeal.

## Help with expenses if you go to an appeal

You may be able to get help with things like

- travelling to and from the tribunal. You may get help with your fares and the fares of people who go with you to help you. But representatives who are paid by an organisation cannot get their fares
- claiming the cost of childminding if you have to go to a tribunal. But only if you have not claimed Tax Credits
- lost earnings if you lose money to go to the tribunal
- interpreter fees.

You will be sent more details about this once The Appeals Service has set a date for your hearing.

## Where to get more information

For more information about your claim, or for general advice, get in touch with us. Our phone number and address are in the phone book under GOVERNMENT. Alternatively, you can contact any Social Security or Jobs & Benefits office, Community Benefit Office or the Benefit Shop, Royal Avenue, Belfast.

If you prefer you can contact an Advice Centre.

## The Customer Charter

We want to offer you the best possible service.

The Customer Charter sets out clearly the range and standards of service you can expect from our Social Security or Jobs & Benefits office. It also tells you how to make a suggestion or complaint about our service. Copies of the Customer Charter are on display in Social Security or Jobs & Benefits offices. Please take a copy. It is also available on our website at **[www.dsdni.gov.uk](http://www.dsdni.gov.uk)**

This information sheet gives general guidance on the rights and responsibilities of customers. It must not be treated as being a current and comprehensive statement of the law.

