

~~Ms L Swain~~

Universal Credit DRS
Post Handling Site B
Wolverhampton
WV99 1NN

Telephone: 0345 6088545

www.gov.uk

~~MS NE322416~~

Dear ~~Ms L Swain~~

About Your Mandatory Reconsideration Request

You have asked us to look again at the decision on your claim for Universal Credit that we sent you on 02/09/2020 which awarded you Limited Capability for Work Related Activity (LCWRA) element of Universal Credit (UC) from 02/09/2020. This is known as a request for mandatory reconsideration.

In your request you have stated that you are entitled to LCWRA prior to the review date on 02/09/2020. You have stated that before the Work Capability Assessment review took place you were in receipt of Limited Capability of Work for the period 12/09/2019 - 01/09/2020. You stated that you had already requested a Mandatory Reconsideration previously. However, there is no record to show that you requested a mandatory reconsideration of this decision.

The law states that that a one-month time limit applies to requests for mandatory reconsideration. This means that you must contact us to dispute the decision within one month of the date of your decision notification, unless there are special circumstances that mean you cannot do this within a month.

The decision on your claim for Universal Credit was notified to you on 12/09/2019 but your request for mandatory reconsideration was not received until 17/02/2021. As this request was made outside the one-month time limit it is deemed to be late.

The law does permit the one-month time limit to be extended where special circumstances apply, however in order for this to be considered reasons must be provided as to why the application was not made within the normal time limit and the application must be received within 13 months of the original decision. It must also be accepted that it is reasonable to accept the late request.

As your request has been made in excess of 13 months after the original decision was notified, the law does not permit me to accept this request regardless of the reason for lateness. As such I am not able to accept your request for mandatory reconsideration and accordingly your application has been refused as I have been unable to identify any official error in the decision.

You cannot appeal against the decision not to accept your late request in these circumstances.

Support and Advice

You may like to contact a local support organisation who can provide independent help and support. You can find their details online, at your local library or in the telephone directory.

The Law

The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013, Reg 6(3)

Yours sincerely

Decision Maker