

**Appellant:** Mr [REDACTED]

**Tribunal Ref:** SC154 [REDACTED]

**Date of Hearing:** 23 July 2021

19. Payment was made to [REDACTED] on 21 September 2020, which was the first date of the first assessment period after the decision

### Reasons

20. Regulation 28 of the Universal Credit Regulations sets out the period for which the Limited Capability for Work or the Limited Capability for Work Related Activity Element is not to be included.
21. Regulation 28(2)(b) states that "the relevant period is the period of three months beginning with... in any other case, the first day on which the claimant provides evidence of their having limited capability for work in accordance with the Medical Evidence Regulations".
22. The Medical Evidence Regulations refer to The Social Security (Medical Evidence) Regulations 1976 which prescribe that evidence of incapacity for work "by means of a certificate in the form of a statement in writing given by a doctor" in a specified form.
23. On his own evidence Mr [REDACTED] did not submit any medical certificate from his doctor to report a change of circumstances. I am satisfied that he was informed of his duty to report any changes in the Universal Credit letter dated 16 October 2019.
24. I do not accept Mr [REDACTED] submission that the conversation with a Universal Credit agent on 13 November 2019 could be considered a report of a change of circumstances, as the conversation related to a query about how to complete the UC50 form.
25. The medical evidence submitted by Mr [REDACTED] was sent to accompany the UC50 which was posted on 14 November 2019.
26. The UC50 was sent to Mr [REDACTED] at the instigation of the Respondent, not due to any request by Mr Brown, or any notification by Mr Brown of a change of circumstances.
27. For the reasons given above, I do not accept the submission made on behalf of Mr [REDACTED] that the UC50 should be considered as medical evidence submitted in accordance with Regulation 28(2)(b).

The above is a statement of reasons for the Tribunal's decision, under rule 34 of the Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008.

Signed Tribunal Judge: [REDACTED]

Date: [REDACTED] 2021

Statement issued to

Appellant on:

Respondent on:

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