



# Tribunals Service

## **The new unified Tribunals system – TCE Act 2007**

### **FAQs for Social Security Child Support Tribunal Users**

#### **What will happen to the SSCSA Tribunal?**

The Social Security and Child Support Appeal Tribunal will move into the Social Entitlement Chamber from 3 November 2008 and the new rules will come into effect on the same day.

The new rules will apply to appeals received by the Tribunal after 3 November. They will also apply, as far as possible, to appeals started before that date and still in progress, provided that to apply the rules will be just and fair.

#### **The Social Security and Child Support Appeal Tribunal will then become part of the First-tier Tribunal**

#### **What will these changes mean for Tribunal users?**

- Essentially, service for users will remain the same. The SSCS will continue to exist as a jurisdiction even though it will form part of a chamber with the Asylum Support Tribunal and the Criminal Injuries Compensation Appeal Panel;
- Chairmen and Members of the existing Tribunal will transfer to the new Tribunal structure and will be known as Judges and Members of the First-tier Tribunal respectively. They will continue to sit on SSCS appeals, and work in accordance with the new rules.
- The majority existing network of regional offices will remain. We will continue to arrange hearings at a venue as close to your home address as possible.

#### **So what changes will the new rules make?**

- A new pre-hearing enquiry pack will be issued by the Tribunals Service. This will provide you with valuable information about your appeal, and include an enquiry form that should be returned to us. This pack replaces the enquiry form that used to be sent by the Department that made the decision you are appealing against.
- Under the old regulations, some decisions such as postponement, strike out and reinstatement were made by clerks. Under the new rules all such decisions will be made by a judge.

#### **How do I appeal a decision of the First-Tier Tribunal**

- Appeals against a decision of the First-Tier Tribunal will be heard by the Upper Tribunal (which replaces the Social Security and Child Support Commissioners).
- All applicants to the Upper Tribunal must first ask for permission to appeal from the First -Tier tribunal.

- When considering an application for permission to appeal to the Upper Tribunal, the Judge will first consider whether to review the First-tier Tribunal's decision. Where there is an error of law, it is possible for the Judge to set aside and re-decide the case instead of referring it to the Upper Tribunal.
- New forms and letters will also be introduced to reflect the new Tribunal titles and references.

**Who should I speak to about specific cases after November 2008?**

Further advice about the appeal process for SSCSA is available on the [Tribunals Service website](#)

[The First-Tier Tribunal \(Social Entitlement Chamber\) Rules 2008](#) can be accessed here.