

If you call or write to us, please use this reference:
PA711326C



Department
for Work &
Pensions

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LIVERPOOL
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www.gov.uk

Telephone: 0800 328 5644
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This is your Mandatory Reconsideration Notice

28 October 2021

We've looked again at our decision on your Universal Credit

Dear Daniel Ryan

On 16 July 2021 you asked us to look again at the decision we made on 11 July 2021 about your Universal Credit.

We have looked at the evidence used to make the decision and any new information you may have given us.

We have changed our original decision.

Our decision

The decision maker has looked at the evidence again and their decision is set out below.

We have made a decision about your Universal Credit.

This is your Mandatory Reconsideration Notice. It explains the decision we have made.

If you still disagree, you can appeal to an independent tribunal - see details at the end of this letter.

Please keep this letter safe as you will need it if you want to appeal.

If you have any questions about this letter, or you need it in large print, Braille or audio, please contact us on the number at the top of this letter.

Mandatory Reconsideration – Universal Credit

I am revising the decision dated 11 July 2021 that, for the assessment period 11 June 2021 to 10 July 2021, employed earnings of £195.65 had to be taken in to account for your Universal Credit entitlement. This is because of earnings information received from Her Majesty's Revenue and Customs (HMRC).

My revised decision is that earnings of £0.00 will be taken in to account for the assessment period 11 June 2021 to 10 July 2021, as explained below.

UCD477

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Details of the Original Decision

On 11 June 2021, you made a claim to Universal Credit (UC).

On 11 July 2021 it was decided that you had a UC entitlement of £271.10 for the assessment period (AP) 11 June 2021 to 10 July 2021, breakdown as follows.

Standard allowance	£411.51
Entitlement before deductions	£411.51
Deductions	
Earnings reported by your employer	£195.65
Total taken off for take-home pay (£195.65 earnings x £0.63 earnings taper)	£123.26
Advance Payments	£17.15
Total deductions	£140.41
Universal Credit award after deductions:	£271.10

The earned income amount was based on a Real Time Information (RTI) feed from HMRC, notifying that these earnings were reported within this assessment period.

Details of the Mandatory Reconsideration

On 16 July 2021, you first made contact about the original decision via your UC journal and stated:

"Hi,

I think I may have been paid incorrectly. I have a deduction for my last payment before leaving work. However, I was last paid on 10th June and my AP doesn't begin until the next day 11th June. I can provide the payslip, if necessary."

On 20 July 2021, you made contact via your UC journal and stated:

Hi Faye,

Yes, I have a bank statement, payslip, and can also take a screenshot of my Barclay's app to show the transaction. Thanks in advance.

On 20 July 2021, you uploaded a screenshot of your bank statement showing payment of £195.65 received from Adecco UK on 10 June.

On 20 July 2021, you made contact via your UC journal and stated the following:

"Hi Faye,

I've uploaded that for you. I was always paid on a Thursday - as was everyone. If you need anything else, please let me know. Thanks again."

"Hi Faye,

That's no worries - thank you. I do find that odd, too. I have previous payslips and statements that show payday being every Thursday so if you needed anything like that, I can provide them also."

On 20 July 2021, your case was passed to our team that deals with disputes regarding the information provided by HMRC. The case was returned to the Department for Work & Pensions as when the dispute was passed to HMRC several attempts were made on their behalf to get in touch with your employer but they were unsuccessful. As this is the case I can only consider the evidence you have provided and available to me.

On 22 July 2021, a formal request for a mandatory reconsideration (MR) of the original decision was raised.

I have reviewed the evidence and information available to the original decision maker, I have also considered the evidence and information that was not available to them.

Departmental records show your previous employer ADECCO UK reported earnings of £195.65 paid to you on 11 June 2021. Payment was made to within the assessment period and has to be taken in account as stated in the guidance.

UC Regulations 2013 61 (2) states where a claimant is, or has been, engaged in an employment in respect of which their employer is an RTI employer then the amount of their employed earnings for each assessment period is to be based on the pay as you earn (PAYE) information reported to HMRC and received by the department from HMRC in that assessment period.

However, UC Regulations 2013 61 (3) states that the decision maker (DM) can decide that Regulation 61 (2) does not apply when the DM considers that the information from the employer is not likely to be sufficiently accurate or timely, or the information received from HMRC is incorrect or that the payment does not fall within the meaning of employed earnings.

You provided evidence in form of a screenshot of your online banking showing that you received payment on 10 June which falls outside your assessment period.

Therefore, my revised decision for the assessment period 11 June 2021 to 10 July 2021 is that your UC entitlement is as follows;

Standard allowance	£411.51
Entitlement before deductions	£411.51
Deductions	
Earnings reported by your employer	£0.00
Total taken off for take-home pay (£0.00 earnings x £0.63 earnings taper)	£0.00
Advance Payments	£17.15
Total deductions	£17.15
Universal Credit award after deductions:	£394.36

Outcome of Reconsideration

As such, for the assessment period 11 June 2021 to 10 July 2021, your Universal Credit entitlement is £394.36. You have received an entitlement of £271.10, you are owed £123.26.

I will now notify your case manager so the necessary action to update your claim can be taken.

Please note the above entitlements may change subject to final calculations by your case manager.

The law used to make this decision

**The Universal Credit Regulations 2013 regulations 6, 52, 54, 55, 61
Welfare Reform Act 2012 c. 5**

**The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and
Employment Support Allowance (Decisions and Appeals) Regulations 2013 regulations 5,
7, 8, 41**

**Social Security Act 1998 Sections 8 – 10
Social Security Administration Act 1992**

More information

If you need more information about this decision contact us using your journal or the phone number at the top of this letter.

If you disagree with this decision you have the right to appeal which means this decision will be looked at again. The next page will give you more information on how to do this.

Yours sincerely,

Office manager

If you still disagree with our decision

You can appeal to the Social Security and Child Support Tribunal.

This tribunal is independent from DWP. It will make an impartial decision on your entitlement to Universal Credit. You need to appeal within **one month** of the date of this letter.

How to appeal

Go to **www.gov.uk/appeal-benefit-decision** This website explains how to appeal, and if you can appeal online. If you need to appeal by post, you will also be able to download an appeal form.

If you appeal by post, make sure you include a copy of this letter. The address to post it to will be on the appeal form

If you need help to appeal

If you can't go online, or need other help and support, you can call the following telephone numbers depending on where you live.

England and Wales

Telephone: **0300 123 1142**

Monday to Friday, 8:30am to 5pm

Scotland

Telephone: **0300 790 6234**

Monday to Friday, 8:30am to 5pm

Other benefits

To find out what you may be able to claim, go to **www.gov.uk/benefits-calculators**

Support and advice

If you need help or advice to decide what to do, you can talk to your carer, family or friends.

You could also contact a local support organisation who can provide independent help and support - for example, the Citizens Advice Bureau. You can find details online, at your local library or in the telephone directory.

If you need help managing your money please contact the Money Advice Service as soon as you can. It offers free, independent advice about how to make the best of your money, including budgeting, savings and dealing with debt. To find out more, go to **www.moneyadviceservice.org.uk**

Equality and Diversity

We are committed to treating people fairly, regardless of their disability, ethnicity, gender, sexual orientation, transgender status, marital or civil partnership status, age, religion or beliefs. Please contact us if you have any concerns.

Find out how we collect and use information

Visit **www.gov.uk/dwp/personal-information-charter**

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