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[Direct Lodgement: Overview](#)

[2008/2685](#) Tribunal Procedure (First-tier Tribunal)(Social Entitlement Chamber) Rules 2008

As part of a series of reforms to the tribunal procedure rules, there has been a change to the way in which clients make appeals against maintenance liability decisions, following a [Mandatory Reconsideration](#), whereby any appeal request will need to be sent to, in Great Britain, HM Courts and Tribunals Service (HMCTS) or the Direct lodgement of appeals in Northern Ireland is known as The Appeals Service (TAS) directly.

This is known as Direct Lodgement and applies to any new original decision made on or after 28 October 2013(GB) or 11 July 2016 (NI) .

The timescale in which a client must request an appeal is has not changed as part of the reforms to the legislation, however.

Note: Please see [Mandatory Reconsideration](#) section for an explanation of a “new original decision”.

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[Direct Lodgement: Process](#)

Strictly, there is no process for CMG colleagues to follow because Direct Lodgement applies to our clients, as they will be required to make any appeal requests directly to HMCTS or TAS .

However, if a client seeks to appeal by sending an appeal request to CMG in error, that request should be returned to the client, and they should be signposted to HMCTS or TAS.

HMCTS or TAS will only normally accept appeals under Direct Lodgement where the decision the client is seeking to appeal has been through the [Mandatory Reconsideration](#) process, and will require a copy of the Mandatory Reconsideration Notice as part of the papers needed for them to lodge the appeal request as a “duly made” appeal.

When HMCTS have received an appeal request, they will:

- notify the Central Appeals Unit (CAU – GB) or the Appeals Team (NI) that an appeal request has been received;
- request details of the other parties to the case / casegroup from CAU or the Appeals Team ;
- ask for comments from CAU or the Appeal Team (on behalf of the Secretary of State) in respect of acceptability of the appeal, where the appeal request has not been made in time;
- notify CAU or the Appeals Team whether or not a late appeal request is to be accepted or rejected, following HMCTS or TAS having sought the views as to acceptability from the other party(ies) to the case / casegroup; and
- notify CAU or the Appeals Team of any confidentiality editing that is required, and in respect of which party or parties to the appeal it applies, if the appeal is accepted.

Once an appeal has been accepted by HMCTS or TAS CAU or the Appeals Team will then investigate the decision being appealed, seek additional evidence from the clients (if required) and bring the appeal to an outcome within the [42 day appeal timescale](#). If the decision needs revising, and if that revision benefits the appellant financially, CAU or the Appeals Team will lapse the appeal. Otherwise, and unless the client chooses to withdraw their appeal (with HMCTS or TAS), CAU or the Appeals Team will prepare a legal response for a tribunal hearing.

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[Direct Lodgement: Decision Making Guidance](#)

When an appeal request is received at CAU, the date the original decision was made should be checked, so that appropriate action can be taken:

- where the original decision was made prior to 28 October 2013(GB) or 11 July (NI), the appeal should be handled at the Central Appeals Unit;
- where the original decision was made after 28 October 2013, Direct Lodgement will apply and the appeal request should be returned to the client, and they should be signposted to HMCTS or TAS.

Note: If an appeal request is received into CMG anywhere other than at CAU (GB) or 11 July (NI), the request should be forwarded directly to CAU (GB) or 11 July (NI) who will then determine whether or not Direct Lodgement applies.

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