

Factsheet 11. Pensions Appeal Tribunals. **War Pensions Scheme only.**

There are rights of appeal against virtually all decision made by the Secretary of State. These include decisions on 1) entitlement, 2) assessments 3) supplementary Allowances and 4) any other decisions. These are known respectively as Entitlement, Assessment and Specified Decision appeals.

The Pensions Appeals Tribunal (PAT) decides appeals, which is part of the Department for Constitutional Affairs in England Wales. There are separate PATs for Scotland and Northern Ireland.

All appeals carry a 6-month time limit in which the appeal can be lodged apart from those against interim assessments, which carry a 3-months time limit. In addition to this 3/6month time limit there is another 12-month time limit in which a late appeal can be heard but only under exceptional circumstances, which are specified in law. It is for the PAT to decide whether or not a late appeal can be heard.

The PAT is completely independent to the Service Personnel and Veterans Agency and its decisions are legally binding both upon the appellant and the Agency. PAT's decisions can only be challenged:

- On a point of law to the;
 - Social Security Commissioners and
 - the Court of Appeal if the appellant is dissatisfied with the Commissioners' decision.
- If, since the original hearing, more evidence becomes available.

A PAT hearing on an Entitlement Appeal may:

- decide the condition was caused or made worse by service
- decide that a condition already accepted as made worse by service was caused by it
- confirm the decision that a condition was not caused or made worse by service

**For further information please contact Service Personnel and Veterans Agency:
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- confirm the decision that a condition was made worse by service, but was not caused by service

A PAT hearing on an Assessment Appeal may decide:

- to keep the assessment as it is
- to increase the assessment
- to reduce the assessment
- to change the period of award

A PAT hearing a Specified Decision appeal may decide:

- to accept a claim to a supplementary allowance
- to keep a decision of the Agency unchanged
- to increase the level of a supplementary allowance award and
- change the commencing date of an award

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