



TRIBUNALS
JUDICIARY

**PRACTICE STATEMENT
DELEGATION OF FUNCTIONS TO STAFF IN RELATION TO THE SOCIAL ENTITLEMENT
CHAMBER OF THE FIRST-TIER TRIBUNAL ON OR AFTER 1 OCTOBER 2014**

1. This Practice Statement applies to social security and child support cases, as defined by rule 1(3) of the Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 ('the Rules'). It supplements the Practice Statement 'Delegation of functions to staff on or after 03 November 2008' of 30 October 2008.
2. In exercise of the power conferred by rule 4 of the Rules, the Senior President of Tribunals hereby approves that a member of staff appointed under section 40(1) of the Tribunals, Courts and Enforcement Act 2007 may carry out, on or after 1 August 2013, the function of a judicial nature specified in paragraph 3 in the circumstances specified in paragraph 4 and the functions of a judicial nature specified in paragraph 5 in the circumstances specified in paragraph 6.
3. The delegated function is, where a party has failed to comply with a requirement in the Rules, to take such action as may be just by waiving the requirement (rule 7(2)(a)).
4. The specified circumstances are where an appellant has stated an intention to withdraw the appeal, but has not sent or delivered to the Tribunal notice of withdrawal in writing, as required by rule 17(1)(a).
5. The delegated functions are –
 - a. where a party has failed to comply with a requirement in the Rules, to take such action as may be just by –
 - i. Waiving the requirement;
 - ii. Requiring the failure to be remedied; or
 - iii. Exercising the power of striking out under rule 8(1) or (8)(3)(a), including giving any incidental direction.
 - b. determining an application made under rule 8(5) for the whole or part of proceedings, which have been struck out under the foregoing provision, to be reinstated, including granting or refusing an extension of time for making such an application.
6. The specified circumstances in which the delegated functions in paragraph 5 may be carried out are for the purpose of determining whether –
 - i) the notice of appeal, which is required under the Rules to be sent to the Tribunal, satisfies the requirements set out in rule 22(3) and is accompanied by the documents required by rule 22(4); or
 - ii) the response required under rule 24(1)(b) or (c) is filed within time.

7. In accordance with Rule 4(3) of The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008, within 14 days after the date that the Tribunal sends notice of a decision made by a member of staff pursuant to an approval under paragraph 2 above to a party, that party may apply in writing to the Tribunal for that decision to be considered afresh by a judge.

SIR JEREMY SULLIVAN
SENIOR PRESIDENT OF TRIBUNALS
31 July 2013

AMENDED 18 September 2014 to take effect 1 October 2014