

Mandatory Reconsideration – Late Requests

I've missed the deadline – what can I do?

You have one month within which you must submit the request for a reconsideration. However, there are a few exceptions. You may be able to request one after the one month time limit if:

- Your request is seen as reasonable,
- 'special circumstances' apply to your case
- Your request is likely to succeed.

The definition of special circumstances is very narrow. It must be a strong reason that can justify a late request.

For example, it will not be enough if you didn't send one because you didn't know you had one month. However, if you were seriously unwell or in hospital, this may suffice. You should note that even if you have good reasons, a late mandatory reconsideration cannot be accepted if it is more than 13 months late.

The DWP can refuse your request for a mandatory reconsideration if it's late, but as long as you made the request within 13 months of the date on your decision letter you can still appeal their decision at a tribunal.

We hope that you have found this factsheet useful. Whilst you are here, we have a small favour to ask. More people are using our service than ever before. We can't keep up with demand. We don't want to turn people away, and we want to keep on developing more information resources like this factsheet, but we don't have enough money to expand. So you can see why we need to ask for your help. We know that our information and advice can make a real difference to the quality of life of the people we support. If people using our service could help to support us, our future would be much more secure.

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