Looking at MC decisions again: Revisions, reconsiderations, corrections and appeal rights

Note: For variation-related decisions, see "Variations process or Mandatory Reconsideration?" flowchart

- START-

Has the client contact been prompted by a decision with underlying right of appeal? (i.e. a liability-related decision)

No

- Signpost client (if relevant) and / or consider (SofS) supersession action;
- Issue "Refuse to reconsider" notification (if client insists on written notification);
- **No right of appeal**.

Yes

Is request to look at the decision again being made "**in time**"? (or late, but with good reason for delay?)

No

- Any **accidental errors** in the calculation should be revised (Secretary of State "own iniative" revision), and notifications of the new decision issued;
- Consider alternative action: signpost client appropriately (if relevant); and / or consider supersession action (new change); and / or explain if issue is "outside formula";
- If there are no accidental errors raised by the client, or they do not accept the alternative action proposed, issue "Refuse to reconsider" notification only if client insists on written notification;
- **No right of appeal**.

Yes

Right of appeal (*unless* outcome reached is "Correction", below)

Is the client raising at least one issue which relates to the **circumstances at the effective date** of the decision ***and*** which is "**in formula**"?

"Outside formula", regardless of effective date:

- Explain that the issue raised would not affect maintenance liability;
- Signpost client (if relevant) and / or consider supersession action;
- If client does not accept explanation and / or alternative action, issue **MRN "No Change"** notification;
- If client accepts explanation and / or alternative action, issuing **MRN "No Change"** notification not required, unless requested by client;
- **Right of appeal**.

"In formula" *and* relevant at effective date

Is there clear evidence of a **single accidental error** in the calculation? *("Slip of the pen" or clerical error)*

"In formula" but not relevant at effective date:

- Explain that the issue raised would not affect maintenance liability *at the effective date of the decision*;
- Signpost client (if relevant) and / or consider supersession action;
- If client does not accept explanation and / or alternative action, issue **MRN "No Change"** notification;
- If client accepts explanation and / or alternative action, issuing **MRN "No Change"** notification not required, unless requested by client
- **Right of appeal**

Yes

Correction of decision

- Correct decision and issue correction-specific notifications
- **No Right of appeal**

No

FULL CHECK

No errors:

- Issue notifications **MRN "No Change"**
- **Right of appeal**

Errors found:

- Revise decision and issue new notifications including **MRN "Decision Revised"**
- **Right of appeal**