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First-tier Tribunal

The independent body that hears first-instance appeals.

The First-tier Tribunal is divided into “chambers” that deal with appeals against decisions by a variety of different public bodies. The different chambers all follow procedural rules that are intended to be harmonised as far as possible irrespective of the subject matter: so the experience of pursuing an appeal against a benefit decision should be similar to the experience of pursuing an appeal an immigration decision, or an appeal about a child’s special educational needs. Appeals against social security decisions (including Housing Benefit) are heard by the Social Entitlement Chamber of the First-tier Tribunal.

An appeal to the First-tier Tribunal is a “merits” appeal - the Tribunal can take a completely fresh look at the facts and come to a different decision from the original decision maker. There does not have to be anything wrong with the original decision: the Tribunal can simply take a more generous view on a matter of subjective judgment, including whether the claimant’s landlord provides more than minimal support in an exempt accommodation case.

If the losing party disagrees with the Tribunal’s decision, there is a further right of appeal on a point of law to the Upper Tribunal.