Department for Work and Pensions

*via on-line journal*

dd/mm/yy

Dear Sir or Madam

**Re:**

**NINO:**

**Mandatory reconsideration request of decision of dd/mm/yy**

I am writing in relation to my claim for Universal Credit (UC).

I am requesting a mandatory reconsideration of the DWP’s decision of *dd/mm/yy*, that I earned £*xx* in the assessment period *dd/mm/yy* to *dd/mm/yy*, as this is not a true reflection of my earnings in that period, using the correct interpretation of reg 54 of the Universal Credit Regulations 2013 (UC Regs), as decided by the High Court in *Johnson and others v SSWP* [2019] *EWHC 23 (Admin)*.

**Background:**

1. I claimed UC on *dd/mm/yy*. My assessment period runs from the *xxth* of one month to the *xxth* of the following month.
2. I was paid some back dated pay by her employer. Details of the back dated pay and the months for which it was apportioned are attached to this letter.
3. I was treated as having earned wages in this one same assessment period and, as such, my UC award was substantially reduced for that period. Although I should have been treated as having an overpayment in the preceding months, the fluctuation makes it very difficult for me to budget effectively.

**Reason for MR request:**

1. New regulations have been issued to amend the effect on Universal Credit of multiple wage payments in one calendar month.
2. The payment received by me on *dd/mm/yy* was clearly wages for the preceding months. Following the *Johnson* judgment, there should have been an adjustment, apportioning each wage to the correct assessment period.
3. In my case, although the rolled-up wages were reported as being received in the same assessment period, they were earned over different time periods and should have been apportioned to separate assessment periods to reflect this.
4. I request that the decision of *dd/mm/yy* is reconsidered and that the wage payments currently treated as income earned during that assessment period are treated as separate payments, only one of which was earned in the relevant assessment period. This is the correct interpretation of the UC Regs, as held by the High Court in *Johnson*.

Yours faithfully,