

# Reconsideration and Appeals



## Important:

- » You must submit your signed request within 20 business days from the date the ministry notified you of the original decision
- » If you need more time to submit your Request for Reconsideration form, you may request an extension (available for special circumstances). To do this:
  - Call the ministry at 778 698-7750 or visit a ministry or Service BC office
  - Confirm the extension has been approved by calling 778 698-7750
- » If you provide additional information after requesting reconsideration, a reconsideration officer may take one more business day to send you the reconsideration decision
- » The reconsideration decision will be sent to you in the mail or through My Self Serve; it will also be available for pick up in a ministry or Service BC office
- » If you disagree with the reconsideration decision, you have 20 business days to appeal to the Employment and Assistance Appeal Tribunal. The Tribunal provides an independent, community-based appeal process

## Appeal process

- » The Tribunal must receive a Notice of Appeal form within 20 business days from the date of when you received the reconsideration decision
- » If you need more time, you may request an extension from the Tribunal (available for special circumstances)

- » If the Tribunal doesn't receive your form within the 20 business days timeframe, you will be deemed to have accepted the reconsideration decision
- » You can request a hearing in person, by video, by teleconference or in writing:
  - For hearings in person, by video, or by teleconference, you'll get the date and time at least two business days in advance
  - For written hearings, the ministry must first agree to the written format, then the Tribunal will provide instructions
- » If the Tribunal determines your matter can be appealed, it will appoint a panel:
  - Panels are up to three people
  - The Tribunal will hold a hearing within 15 business days of receiving your appeal form
  - Submit any new information to the Tribunal, and the panel will decide if it's admissible
- » If the Tribunal determines your matter can be appealed, it will:
  - Appoint a panel of up to three people
  - Hold a hearing within 15 business days of receiving your appeal form
- » If you submit any new information before or at the hearing, the panel will decide if it's admissible
- » You're responsible for presenting your case at the hearing, but you may get help preparing information or have someone come with you to the hearing, including a:
  - Friend
  - Family member
  - Advocate

- » A ministry representative will attend the hearing to explain the reconsideration decision
- » After your hearing, the panel will determine if the ministry's reconsideration decision was:
  - Supported by the evidence
  - A reasonable application of the legislation given your circumstances
- » Based on that, the panel will either confirm or rescind the reconsideration decision
- » You'll receive a written decision from the Tribunal generally within 10 business days of your hearing

## For more information

- » Visit [gov.bc.ca/sdpr](https://gov.bc.ca/sdpr)
- » Call 1-866-866-0800
- » Access online income and disability assistance services at [myselfserve.gov.bc.ca](https://myselfserve.gov.bc.ca)
- » Visit a ministry or Service BC office

For more information about the Tribunal:

- » Visit [eaat.ca/home](https://eaat.ca/home)
- » Call 1-866-557-0035
- » Email [info@eaat.ca](mailto:info@eaat.ca)



Ministry of  
Social Development  
and Poverty Reduction

If you apply for or receive income, disability, or hardship assistance, you have the right to:

- » Quality service
- » Fair access to programs
- » Transparent decision making

## Your right to reconsideration and appeal

The Ministry of Social Development and Poverty Reduction follows provincial laws to determine your eligibility for income, disability or hardship assistance.

If you disagree with a decision, please let the ministry know. If you still disagree after speaking with us, you can ask for a reconsideration. A Reconsideration Officer will review your request. They'll make a new decision and communicate it in writing. If you disagree with the reconsideration decision, you can appeal it through the Employment and Assistance Appeal Tribunal.

## What is a Reconsideration or Appeal Supplement?

If the ministry has discontinued your assistance, you may be eligible for a supplement while you wait for the outcome of a reconsideration or appeal. To receive this supplement, you must sign a Promise to Repay form. If the final decision is in your favour, you will not have to repay the supplement.

## Overview of the reconsideration and appeal process

### Reconsideration

The reconsideration process gives you the chance to submit new documents

The ministry may reconsider your eligibility if:

- » You are denied assistance or a supplement
- » Your assistance or a supplement is discontinued or reduced
- » Your approved supplement is less than the amount you expected
- » Your employment plan has a condition you disagree with

The reconsideration process does not apply to:

- » Service quality issues
- » Administrative practices (for example, the way you receive your cheque)

## Step-by-step instructions

### Through My Self Serve

1. Select the reconsideration option beside the denied service request
2. The system will generate an electronic Request for Reconsideration form. This form will explain:
  - The decision
  - Reasons for it
  - Legislation used to make it
3. Fill out the form stating:
  - Why you disagree with the decision
  - How the ministry applied the legislation incorrectly
4. Upload any documents you'd like to present as additional information (this can

be done when you complete the form or later, but before a decision is made)

5. Use your PIN to electronically sign and date the form (this sends your request to a reconsideration officer)

### Important:

- » You must submit your electronically signed request within 20 business days from the date the ministry notified you of the original decision
- » If you need more time to submit your request for reconsideration form, you may request an extension (available for special circumstances) by calling the ministry at 778 698-7750 or visit a ministry or Service BC office. You can also contact this phone number to confirm if the extension has been approved
- » You have the right to an advocate (someone outside the ministry) to help with this process. Contact the ministry if you would like assistance finding a local advocate/agency in your community
- » Once a reconsideration officer receives your signed reconsideration form, a decision is sent within 10 business days (20 business days when an extension is requested)
- » If you need more time to submit additional information, you may request an extension. You must make this request before a decision is made. To do this:
  - Select the "extension" option after submitting your signed electronic form
  - Confirm the extension has been approved by calling 778 698-7750

- » If you provide additional information after requesting reconsideration, a reconsideration officer may take one more business day to send you the reconsideration decision
- » You will be sent the reconsideration decision through My Self Serve; it will also be available for pick up in a ministry or Service BC office
- » If you disagree with the reconsideration decision, you have 20 business days to appeal to the Employment and Assistance Appeal Tribunal. The Tribunal provides an independent, community-based appeal process.

### Reconsideration requests outside of My Self Serve

1. Contact us and say you'd like to request a reconsideration
2. The ministry will prepare a paper Request for Reconsideration form for you. It will explain:
  - The decision
  - Reasons for it
  - Legislation used to make it
3. Complete sections three and four of the form, stating:
  - Why you disagree with the decision
  - How the ministry applied the legislation incorrectly
4. Attach any information you'd like to present as evidence (this can be done when you complete the form or later, but before a decision is made)
  - Sign and date the form
  - Return your signed request to a ministry or Service BC office