

Housing Benefit and Council Tax Reduction Scheme

Information on Housing Benefit Overpayments

Introduction

This leaflet gives general information about overpayments of Housing Benefit and aims to answer many of the questions you may have.

What is an overpayment?

An overpayment is where you have been paid more Housing Benefit than you are entitled to.

Why do overpayments occur?

They happen for various reasons. Here are some examples:

- You may have forgotten to tell us that your income has increased, for example, you have had a pay rise or your tax credit award or pension amount has changed.
- Somebody may have moved into or out of your home.
- You may have moved out of your home and not told us.
- You may have started work or changed jobs.
- If you have other adults living with you, their circumstances may have changed.

You must tell us about any changes and not rely on anyone else to do it for you. Even if you have told the Department for Work and Pensions (DWP) about your change in circumstances, you must still let us know and not leave it to the DWP to tell us.

How will I know if I have been overpaid?

We will send you a notification letter giving you the full details of the overpayment. This notification letter will tell you why the overpayment happened, the amount and period of the overpayment. It will also tell you how we will recover the overpayment and what to do if you disagree with the overpayment.

Can the overpayment be reduced?

In some circumstances we may be able to reduce the overpayment. This is referred to as 'underlying entitlement'. If you provide details of your actual income and circumstances for the period of the overpayment we will work out if the overpayment can be reduced.

Who repays the overpayment?

We may recover the overpayment from:

- You (the claimant) and in some cases from your partner.
- Someone acting on your behalf.
- The person to whom the Housing Benefit was overpaid including your landlord or their agent.

This depends on the circumstances of the overpayment.

Consideration will be given to who has misrepresented or failed to disclose information and who could have reasonably been expected to realise they were being overpaid.

What if I disagree with the Council's decision to recover the overpayment?

After reading your notification letter, if you disagree with the overpayment, you must write to us

- If you need a more detailed explanation
- If you would like us to look at the decision again.

You need to do this within one calendar month of the date of the notification.

Can I appeal?

If you are still not satisfied with our decision, you can appeal. This must be in writing within one calendar month of the date of the decision you are appealing against (i.e. one calendar month from the date of the notification letter). Your letter should explain the reasons why you are appealing. Your appeal will then be heard by the Tribunals Service, who are independent of the council.

How do I pay back the overpayment?

If you are still getting Housing Benefit, we will reduce your benefit each week to recover the overpayment. This means you will receive less Housing Benefit until the overpayment is fully repaid. We will recover at a standard rate each week. However, this amount may increase, for example, if you are working.

If you no longer get Housing Benefit we will send you an invoice. You should contact the Overpayment section in order to make an arrangement to repay the debt. You should do this within 7 days of the date of the invoice. You can arrange to pay the whole debt or if you are unable to do this you can pay by instalments. Before arranging to pay by instalments, we need to know what your income and expenditure is. We will send you a form asking you to provide this information. We will then consider your offer based on the details that you have provided taking into account the amount of the overpayment.

Torfaen overpayments section

TELEPHONE: 01495-742344 or 01495- 742345

Monmouthshire Overpayments section

TELEPHONE: 01495-742040

Ways to Pay

There are various ways to repay the overpayment

In Torfaen

- **Instalments**-You can pay the outstanding payments by instalments. We normally expect repayment as short a period as possible. It may be necessary to complete an income and expenditure form. Payment cards are available on request.
- **Post** – Please make the cheque or postal order payable to Torfaen County Borough Council and send to Torfaen County Borough Council, Resources Directorate, Civic Centre, Pontypool NP4 6YB. Please write your invoice number on the back of the cheque.
- **Local Office**-Pay at any local office quoting your invoice number – see our contact details at the end of this leaflet.
- **Telephone**-Contact the Overpayments Section on **01495-742344 or 01495-742345** to make a payment over the phone by credit or debit card
- **Standing order**-Set up a standing order with your bank - you will need our bank details (Sort Code 08 90 07 Account Number 61200221) and your reference should be Fund 12 followed by your invoice number
- **Direct Debit**-Set up a direct debit payment monthly on the 15 or 28 of each month. Please telephone **01495-742344 or 01495-742345** to arrange this. Please note this can be set up over the telephone without completing a form.
- **Internet**- This is a totally secure method of payment which is quick and easy to use. Go to www.torfaen.gov.uk and select pay on line.
- **Automated Telephone payments service**-Use our automated telephone service using your credit or debit card. You will hear recorded information and be prompted to enter your transactions via the handset keys on your telephone. The telephone number is **08458 500855**

The Automated telephone Payments service and the internet are available at all times

In Monmouthshire

- **Post**-Please make the cheque payable to Monmouthshire County Council send to Monmouthshire County Council PO Box 106 Caldicot NP26 9AN. Please write your invoice number on the back of the cheque
- **Bank transfer/Standing Order** - You can make a payment by this method if you have internet banking or telephoning banking with your bank account. Please instruct your bank to make payments to the Council's bank account Sort Code 08 90 07 Account Number 61012846 (your reference should be your invoice number)
- **Telephone**-Contact our Overpayments Officer on 01495-742040 to make a payment over the phone by credit or debit card
- **Internet**- This is a totally secure method of payment which is quick and easy to use. Go to **www.monmouthshire.gov.uk** and select pay on line.
- **Telephone Payments Service**-Use our automated telephone payments service using your credit or debit card. You will hear recorded information and be prompted to enter your transactions via the handset keys on your telephone. The telephone number are 01633 644316 or 01633 644355.
- **Post Office**- a fee is payable per transaction, currently £2.50.Please quote Giro account Number 417129 and the invoice number.

The Automated telephone Payments service and the internet are available at all times

What should I do if I cannot afford to pay what you take from my Housing Benefit?

If the reduction in your Housing Benefit is causing you financial difficulty, we may be able to reduce the amount we are deducting. Please contact us straight away and we will issue an income and expenditure form for you to complete and return.

Please note we may ask for more details and it may not always be possible to reduce the amount.

What happens if I do not contact the Council?

If you do not respond to the invoice, we will try to phone you to make an arrangement. If we are unable to contact you we will issue a **Final Notice**. This letter gives you 7 days to repay the debt or make an arrangement to pay by instalments.

What will the Council do next?

If you do not contact us or keep to the instalment arrangement agreed we will attempt to recover the debt in one of the following ways.

- We can ask the Department for Work and Pensions to take money out of your social security benefits to collect the overpayment. This means that you will receive less state benefit(s) until the overpayment is recovered.
- If you have moved address and receive Housing Benefit from another Council we can ask them to recover the overpayment on our behalf.
- We can ask a Debt Collection Agency to collect the overpayment on our behalf.
- We can register your debt with the county court and ask them to force you to pay it back. This is the same as having a court order against you. We will also add court costs to the amount you owe us. **Please note** this may affect your credit rating

**Please do not ignore our letters as the debt will not go away.
If you have any queries regarding the overpayment or wish to make arrangements to repay the debt please contact the Overpayments Section.**

Help with managing your money and debt

If you are concerned about managing your money or you have debts, **do not ignore your problem – it won't go away**. You can help to solve your problems by contacting the people you owe money to. Many companies will be helpful if you talk to them. If organisations won't accept what you offer to repay, get advice. You can get help from lots of organisations to sort out your debt problems.

Local Help- Citizens Advice Bureau

The Citizens Advice service provides a wide range of confidential advice.

The local contact details for the Citizen's Advice Bureaus in Torfaen and Monmouthshire are:

Torfaen Citizens Advice Bureau Castle Mews George Street PONTYPOOL Torfaen NP4 6BU Tel 08444 772020	Torfaen Citizens Advice Bureau 43a. 44 & 45 Gwent Square CWMBRAN Torfaen NP44 1PL Tel: 08444 772020
Abergavenny Citizens Advice Bureau 26a Monk street Abergavenny Tel: 0844 477 2020	Chepstow Citizens Advice Bureau The Gate House, The High Street Chepstow Tel: 0844 477 2020
Caldicot Citizens Advice Bureau 5a Church Road Monmouthshire Tel: 08444 77 20 20	Monmouth Citizens Advice Bureau 23a Whitecross Street Monmouth Tel: 08444 77 20 20

National Organisations

Step Change Debt Charity provides free debt advice over the phone. Everything is free and confidential, from budgeting advice to practical Debt Management Plans. This service is available to everyone in the UK

For more details:

look on their website <http://www.stepchange.org/>
ring them on 0800 033 4321

National Debtline

This is a telephone-based service and is a national helpline for people with debt problems in England, Wales and Scotland. They will discuss debt problems with you and explain the options available to you.

For more details:

look on their website www.nationaldebtline.co.uk
ring them on 0808 808 4000

Our Contact details

If you need more help, please contact us.

TORFAEN RESIDENTS should contact TELEPHONE: BENEFITS:01495 766430 or 01495 766570 OVERPAYMENTS TEAM:01495 742345 E-MAIL: benefits@torfaen.gov.uk Minicom for those who are deaf or hard of hearing. The number is 01495 767871	MONMOUTHSHIRE RESIDENTS should contact TELEPHONE: BENEFITS:01633 644650 or 01633 644655 OVERPAYMENTS TEAM:01495-742040 E-MAIL: benefits@monmouthshire.gov.uk	
OUR ADDRESS- Shared Benefit Service Level 3, Civic Centre Pontypool Torfaen NP4 6YB		
IN PERSON at any of our One Stop shops or Customer Centres		
ABERGAVENNY (open normal office hours) Cross Street, Abergavenny NP7 5HD	CHEPSTOW (open normal office hours) Manor Way, Chepstow NP16 5HZ	CALDICOT (open normal office hours) Woodstock Way, Caldicot NP26 5DB
MONMOUTH (open normal office hours) Priory Street, Monmouth NP25 3XA	PONTYPOOL (open normal office hours) Level One Civic Centre, Pontypool NP4 6YB	CWMBRAN (open normal office hours) 1-2 General Rees Square Cwmbran NP44 7NX
BLAENAVON (Tuesday to Friday 9.30 am to 2.30pm) Blaenavon World Heritage Centre Church Road Blaenavon NP4 9AS		
WELSH TRANSLATION- If you require a copy of this document in Welsh please contact us on the telephone numbers above.		

Online services (This service is currently only available for Torfaen residents)

You are now able to access a full range of online services via the Council's website www.torfaen.gov.uk under online services. Using a secure registration process you can now access the following services:

- Housing Benefit and/or Council Tax Benefit claim data for your claim
- Council Tax or Business Rate information for your account including the account balance, payment and instalment details.

The service also allows you to report a change in circumstances, claim a discount or exemption or make a payment towards your account. In addition you can check your potential entitlement to Housing Benefit and/or Council Tax Benefit and make a claim for Benefit on-line. The Benefits section will then contact you to obtain the required detail to complete the claim.