

Housing Benefit and Council Tax Reduction Schemes

Advice on backdating benefit

Introduction

This leaflet gives general guidance on backdating any entitlement under the Housing Benefit and Council Tax Reduction Schemes.

The guidance applies to claimants who are under pensionable age. By pensionable age we mean state pension credit age which is 63 in April 2016 rising to 65 by November 2018.

Depending on your circumstances, you could be owed benefit from before the date you actually applied for it.

When should my benefit start?

If you are under pensionable age and this is your first claim we usually pay your

- Housing Benefit from **the Monday after** you or your representative first contact us to claim benefit (as long as your written claim is received within one month) otherwise it will be the Monday after the written claim is received.
- Council Tax Reduction from **the date** you or your representative first contact us to claim benefit (as long as your written claim is received within one month) otherwise it will be the date we receive your written claim.

However, there are circumstances when we can backdate your benefit to an earlier date.

When can you backdate benefit?

We can backdate any entitlement under the

- Housing Benefit Scheme by up to **1** month
- Council Tax Reduction Scheme by up to **3** months

before the date the backdate request is received if you can show that you:

- had 'good cause' for not making your claim earlier; and
- could not claim throughout the period of the backdate request (whether for the same reason or different reasons).

How do you decide if I had 'good cause'?

To backdate a claim, we must be satisfied that a reasonable person of your age, health and experience would have acted in the same way as you did.

Not knowing the law or that you could claim, does not in itself give you good cause for not claiming.

How do I ask you to backdate my benefit?

You must write to us asking for your benefit to be backdated. Your letter should tell us:

- the date you would like your benefit backdated to; and
- your reasons for not claiming benefit at that time and since then.

Do you need anything else?

We may need evidence of your income for the period of the backdate request (for example, payslips or state benefit payment slips). We also need any other information which you think may help your case (such as a letter from your doctor, if you were ill at the time).

We can only accept **original** documents not photocopies. Do not send valuable items such as bank books or passports in the post. Bring them to one of our Customer Centres, Community Hubs or One Stop Shop. We will get the information we need and give the documents back to you. Please ensure that you ask for a receipt.

What happens next?

We will look at the information you have provided and decide whether you had good cause for not claiming earlier. We will then write to you within 14 days confirming whether we have agreed to backdate your benefit and when to. If we do not agree to backdate your claim we will tell you our reasons for that decision.

What if I disagree with your decision not to backdate my claim?

If you think our decision is wrong, you can ask us to explain it. If you still think it is wrong after we have explained it to you, we will look at our decision again.

For some decisions, you can appeal to an independent tribunal who can change our decision if they agree that it is wrong.

There are time limits for asking for decisions to be looked at again and for appealing. Please contact us if you need more information.

Housing Benefit and/or a Council Tax Reduction for those over pensionable age

The information contained in this leaflet does not apply to you if you are over pensionable age.

If you are of pensionable age we will automatically backdate your claim for up to 3 months providing you are able to show that you qualified for Housing Benefit and/or a Council Tax Reduction during that period. We may need to see proof of your income and capital during the last 3 months.

Our Contact details

If you need more help, please contact us.

TORFAEN RESIDENTS should contact TELEPHONE:01495 766430 or 01495 766570 E-MAIL: benefits@torfaen.gov.uk		MONMOUTHSHIRE RESIDENTS should contact TELEPHONE:01633 644650 or 01633 644655 E-MAIL: benefits@monmouthshire.gov.uk	
Minicom for those who are deaf or hard of hearing. The number is 01495 767871			
OUR ADDRESS- Shared Benefit Service Level 3, Civic Centre Pontypool Torfaen NP4 6YB			
IN PERSON at any of our One Stop shops, Community Hubs in Monmouthshire or Customer Centres in Torfaen.			
ABERGAVENNY Abergavenny Market -Cross St, Abergavenny NP7 5HD		CHEPSTOW Chepstow Library- Manor Way, Chepstow, NP16 5HZ	
MONMOUTH Monmouth Library, Rolls Hall, Monmouth, NP25 3BY		USK Usk Library - 35 Maryport St, NP15 1AE	
PONTYPOOL Level One Civic Centre, Pontypool NP4 6YB		CWMBRAN Cwmbran Library, Gwent House, Gwent Square, Cwmbran, NP44 1XQ	
BLAENAVON 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 Reduction 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 claim a discount or exemption or make a payment towards your account. Sign up securely and quickly at www.torfaen.gov.uk/en/CouncilTaxandBenefits

Download app.

You are now able to report a change in circumstances on the council's website or smartphone app. You can download the app for free from your phone's app store or visit www.torfaen.gov.uk. You'll also get access to a range of other useful services and information.

Monmouthshire residents can also use this service to report a change in their circumstances.