

Revenues & Benefits Service
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Request for Backdated Housing Benefit/Council Tax Benefit

Your Name		
Your Surname		
Your Address		
Postcode		
Phone Number		
Mobile Number		

	From	To
I require Backdated Housing Benefit or Council Tax Benefit for the period opposite:		

I believe that I have had continuous good cause throughout the time I have not claimed for the reason(s) set out below:

Which of the following categories apply to you?

Please tick

1	I have been ill and this affected my ability to claim	<input type="checkbox"/>
2	I have a disability and this affected my ability to claim	<input type="checkbox"/>
3	I have been in hospital or other institution	<input type="checkbox"/>
4	I had family or other personal circumstances which affected my ability to claim at the appropriate time	<input type="checkbox"/>
5	I am not used to dealing with the Social Security or Housing Benefits system	<input type="checkbox"/>
6	I have a learning disability or literacy difficulties	<input type="checkbox"/>
7	There was a change in Benefits legislation which affected my entitlement which I could not have been expected to know	<input type="checkbox"/>
8	My first language is not English	<input type="checkbox"/>
9	I could not have reasonably been expected to know when my claim would start from	<input type="checkbox"/>

10	I have difficulty understanding documents or forms	
11	I have had problems with postal deliveries to or from my home address	
12	I was relying on someone else to deal with the claim and they did not do so	
13	I was given inadequate information about my entitlement to claim Housing Benefit or Council Tax Benefit	
If you were given inadequate information, please explain below who advised you		
14	Other Circumstances	
If you have ticked 'Other Circumstances', please explain below what these are		

Have you claimed or tried to claim Housing Benefit or Council Tax Benefit before?

Yes No

If no, please confirm if you contacted the Council or appropriate office as soon as you were first aware you could claim?

Yes No

<p>Please state the office you first contacted to claim Housing Benefit or Council Tax Benefit. Did they give you the appropriate information?</p>

<p>If you have been ill or in hospital and could not claim, please give the dates of the illness below</p>

If you have been ill recently please give details of the illness, and how this affected your day-to-day health.

If you have a doctor's certificate please let me have a copy.

If you have been in hospital recently, please explain if you were able to manage on your own, or did someone help you when you left hospital?

If you had any family or personal circumstances that affected your ability to claim earlier, please explain what these were? Did you contact the Council about this?

If you need assistance with forms, or rely on someone else to help, please tell me who helps you and if they assisted with your claim.

If someone you rely on to help you was unable to contact us sooner, please explain why they were unable to do so.

If you have problems with your postal deliveries, please state what these are and if you have contacted Royal Mail about this.

If you would like to add any other information or reason why you could not claim sooner, please explain below.

If you would like us to contact your representative in this matter to help make a decision on your request, please list their contact details below

Name	
Organisation	
Address	
Postcode	
Telephone Number	
Fax Number	
E-Mail address	

Would you like us to send a copy of our decision to them?

Yes

No

I declare that all of the information I have given is correct and complete

Signed	
Date	

I have completed the above form on behalf of the person claiming and confirm that the information I have written is correct

Signed	
Date	
Reason for Signing	

BACKDATED BENEFIT – ADVICE AND GUIDANCE

Introduction

Housing Benefit and Council Tax Benefit can be backdated if the claimant requests benefit for an earlier period in writing, and had continuous good cause for their failure to make a claim at the correct time.

From 6 October 2008 benefit cannot be backdated more than **6 months** before the date on which the authority received the claimant's written request. Backdating does not apply if the claimant or partner is aged 60 or over, as different rules apply.

Backdated benefit will be granted once the authority determines that the claimant had good cause for failure to make the claim earlier and that their good cause lasted throughout the period in question.

Good cause includes 'any fact that would probably have caused a reasonable person to act as the claimant did', but it is for the claimant to establish that they had good cause. The authority will then make a decision based on the information it has received. If backdated benefit is refused you have the right to appeal.

Housing Benefit and Local Housing Allowance

Housing Benefit is available to people with low incomes and low savings to pay their rent. It is assessed based on income, savings and the people living in the household. Within this calculation, there is a maximum amount of benefit we can pay.

From 7 April 2008 all Housing Benefit claimants who have a new claim / change of address / break in their entitlement of one week or more will have their Housing Benefit worked out using Local Housing Allowance.

Local Housing Allowance is the new way of working out the maximum Housing Benefit you could get. The amount you get will still depend on your level of income and savings. It is only the way we work out the maximum Housing Benefit you could get that has changed.

Local Housing Allowance will not affect you if:

- You live in a home which is owned by you or the local authority
- You are a tenant of a registered social landlord or housing association
- You live in a caravan, houseboat, or hostel

Some other claimants are also not affected and you will be notified when you make a claim for Housing Benefit.

The local authority receives figures from the Rent Officer each month, and depending on the day that your claim begins, the amount given for that month will be used to calculate the maximum Housing Benefit you can receive.

Backdated Benefit and Local Housing Allowance

If you ask for your claim to be backdated and we agree to do this, your LHA rate will be based on the figure that applies for the month you have asked your claim to start from. This may be different from the month you have claimed in. We will review your LHA rate on the anniversary of the start date of your claim.

Please note that although you may receive an amount of LHA from when you claim, if you request backdated benefit, and this is awarded, the amount of LHA may change.

Example

Mr Smith submits an application form on 8 September 2008 and requests backdated benefit. His tenancy began before this date, and this is his first claim for benefit. The LHA rate in September 2008 for his property is £90.00 per week.

Housing Benefit is backdated to 11 August 2008. His claim comes under the LHA scheme and he receives the LHA rate for August 2008 this is £85.00 per week.

Housing Benefit is backdated to 1 September 2008. His claim comes under the LHA scheme and he receives the LHA for September 2008 this is £90.00 per week.

Please note the above amounts are examples only. The correct amounts will be published in the council offices and on our website www.thanet.gov.uk/benefits

Changes to the Backdated Benefit scheme

From **6 October 2008** the rules for backdated benefit have changed. The maximum period a claim for benefit may be backdated for working age customers has reduced to **six months**.

Customers aged 60 or over have an automatic right for their claim to be backdated, however the automatic period to be backdated has reduced to **three months**.

Appealing a decision

If you disagree with our decision regarding your request for backdated Housing Benefit or Council Tax Benefit, you have the right to:

- Ask us to explain the decision verbally, or in writing
- Ask us to review the decision
- Appeal against the decision. An independent appeal tribunal may decide this.

Please note that you can only ask us about the decision whether to pay backdated benefit and the start date of your claim. **We are unable to amend the LHA rates.**

The information published is correct as at October 2008