

Housing Benefit and/or Council Tax Reduction – notes on applying



Contents

1. Introduction	1
Part 1 - About you and your partner	2
Part 2 - About children	2
Part 3 - About other people who live with you	2
Part 4 - About where you live	3
Part 5 - About Income Support, Jobseeker's Allowance, Employment and Support Allowance, Pension Credit or Universal Credit	3
Part 6 - About being self employed	3
Part 7 - About working for an employer	3
Part 8 - About any other work you do	4
Part 9 - About benefits, pensions and tax credits	4
Part 10 - About other money coming in	4
Part 11 - About bank accounts, savings, investments and property	5
Part 12 - Anything else you need to tell us	5
Part 13 - Backdating	5
Part 14 - Checklist	5
Part 15 – How information about you will be used	5
Part 16 - Declaration	6
2. Second Adult Rebate	7
3. Local Housing Allowance	7
4. When we usually pay benefit from	8
5. How the benefit will be paid	8
6. Fast Track Service	8
7. Returning the application form	8

1. Introduction

These notes provide general guidance on how to complete the application form for Housing Benefit and/or Council Tax Reduction. Please keep them for future reference.

The Housing Benefit and Council Tax Reduction claim form may seem rather long, but we have to ask a lot of questions to make sure that everyone who claims gets the right amount of benefit.

You may not have to fill in all parts of the form, but you must fill in any part that is relevant to you. If you do not answer all of the questions that are relevant to you, the form may be returned to you or you may be asked to provide additional information. Any delays will hold up the assessment of your benefit claim and also delay payment of benefit.

Part 1 - About you and your partner

You must give us your details. If you have a partner you must also give us their details.

You must answer all of the questions in this section.

You will be asked to provide proof of identity and proof of National Insurance Numbers – please see the checklist at Part 14 of the application form for more details.

You may also be asked to provide additional information, such as proof that you receive certain benefits - please see the checklist at Part 14 of the application form for more details.

Part 2 - About children

You must tick the Yes or No box to answer the first question - are there any children in your household? If you tick No, you should go straight to Part 3 of the application form.

If you have answered Yes you should complete the remaining questions in Part 2.

You may also be asked to provide additional information, such as proof that the children receive certain benefits, income or if you pay for any childminding costs - please see the checklist at Part 14 of the application form for more details.

Part 3 - About other people who live with you

You must tick the Yes or No box to answer the first question – do any adults normally live with you and your partner?

If you tick No, you should go straight to Part 4 of the application form.

If you have answered Yes you should complete the remaining questions in Part 3.

The amount of benefit that you can receive may be reduced if other people live with you – this is often referred to as a non-dependant deduction. Providing proof of their income may help to reduce the amount of any reduction or might result in no reduction being made at all. If you do not give us proof of their income we may have to apply the highest deduction from your benefit.

Acceptable proof of income could include.

- Payslips.
- Department of Work and Pensions award letters.

- Bank statements that show the payments being received.

Other people who live with you can include grown-up children, parents, friends, boarders or sub-tenants.

Part 4 - About where you live

You must answer the first three questions in this part, which are.

- Tell us who owns your home?
- When did you move to this address?
- Do you rent your home? If you answer No to this question you should go straight to Part 5 of the application. If you have answered Yes you should complete the remaining questions in Part 4.

Part 5 - About Income Support, Jobseeker's Allowance, Employment and Support Allowance, Pension Credit or Universal Credit

You must tick the Yes or No box to answer the question – are you or your partner getting Income Support, Income-Based Jobseekers Allowance, Income-Related Employment and Support Allowance, Guaranteed Pension Credit or Universal Credit?

If you ticked no you should complete the remaining questions in Part 5.

If you ticked yes you can go straight to Part 12 of the form.

Part 6 - About being self employed

You must tick the Yes or No box to answer the question – are you or your partner self-employed?

If you tick No, you should go straight to Part 7 of the application form.

If you have answered Yes you should complete the remaining questions in Part 6.

You will have to provide proof of your income - please see the checklist at Part 14 of the application form to see what we can accept as proof.

Part 7 - About working for an employer

You must tick the Yes or No box to answer the question – do you or your partner work for an employer?

If you tick No, you should go straight to Part 8 of the application form.

If you have answered Yes you should complete the remaining questions in Part 7.

You will have to provide proof of your earnings – please see the Checklist at Part 14 of the main application form to see what documents we can accept as proof.

If you have just started a new job, give us an estimate of your earnings and let us see your payslips as soon as you get them.

Part 8 - About any other work you do

You must tick the Yes or No box to answer the question – do you or your partner work do any other work at all?

If you tick No, you should go straight to Part 9 of the application form.

If you have answered Yes you should complete the remaining questions in Part 8.

You will have to provide proof of your earnings – please see the Checklist at Part 14 of the main application form to see what documents we can accept as proof.

Part 9 - About benefits, pensions and tax credits

You must tick the Yes or No box to answer the question – are you or your partner getting any benefits, pensions or tax credits or waiting to hear about any you have claimed?

If you tick No, you should go straight to Part 10 of the application form.

If you have answered Yes you should give details of all the benefits that you are getting, how much you get and how often you receive them.

You will have to provide proof of the benefits you receive – please see the Checklist at Part 14 of the main application form will tell you what documents we can accept as proof of benefit.

If you get payments from the Eileen Trust, the Independent Living Fund or the MacFarlane Trust, you do not have to tell us about them.

Part 10 - About other money coming in

You must tick the Yes or No box to answer the question - do you, your partner, or any children you are claiming for, have any money coming in (or expect to have some money coming in) that you have not told us about on this form?

If you tick No, you should go straight to Part 11 of the application form.

If you have answered Yes you should give the following information.

- What the money is for.
- Who gets it.
- How much they get.
- How often it is paid.
- When they started getting it.

You will have to provide proof of all income listed in this section – please see the Checklist at Part 14 of the main application form will tell you what documents we can accept as proof.

Part 11 - About bank accounts, savings, investments and property

You must tick the Yes or No box to answer the first question – do you or your partner have any bank, building society or post office accounts? You should complete all the questions in Part 11.

Savings, capital or investments over £16,000 will normally mean that you cannot get benefit. This does not include business assets or the home that you live in.

Part 12 - Anything else you need to tell us

Use this part of the form to tell us anything else you think we should know.

Part 13 - Backdating

Sometimes we can pay benefit from an earlier date if you have good reason for not claiming earlier. If you want us to consider paying your benefit from an earlier date please complete this part of the form and tell us.

- when you want benefit from.
- why you did not claim earlier.

The following examples are not good reasons for backdating.

- You forgot or did not get around to claiming.
- You did not claim because you thought you would not qualify.
- You did not know about the benefit.

Please note that we cannot backdate for any period more than 1 month for working age customers and 3 months for pension age customers.

Part 14 - Checklist

You should read this part carefully to make sure you have sent all the documents we need to process your claim. We will not be able to pay you any benefit until we have all the proof we need.

If you do not have all the documents we need you should still send the form in now and send the proof as soon as you have it.

Let us know that you will be sending some proof later. If you do not send the form to us straight away, you may lose benefit.

Part 15 – How information about you will be used

We need the information on the form in order to determine if you are entitled to Housing Benefit and/or Council Tax Reduction and to process your application.

The Social Security Administration Act 1992, The Welfare Reform Act 2012 and the Local Government Finance Act 1992 is the legal basis for processing your personal information.

The information may be shared as follows.

- Within the local authority, with other local authorities, Audit Scotland, the Department for Work and Pensions, the Scottish Government and her Majesty's Revenues and Customs to detect, investigate and prevent fraud.
- With the Department for Work and Pensions and Her Majesty's Revenues and Customs to verify and check accuracy of information provided, amending or supplementing such information.
- With the Department for Work and Pensions, Her Majesty's Revenues and Customs and debt collection partners, to pursue outstanding Housing Benefit overpayments.
- Within the local authority to help improve the services provided by the Council, such as information relating to other Council Tax discounts/exemptions.

Any medical information that you provide to support any application for benefit/reductions is treated as special category personal data and will only be disclosed to third parties as necessary for the operation and administration of Housing Benefit and/or Council Tax Reduction.

For more information about how we process information, how long we retain the information, or the right to complain please contact us or visit <http://www.orkney.gov.uk/online-services/privacy.htm> If you are unable to access the Council's website you can request a paper copy form the Council. Users of smartphones can also scan the code below to access the information.



Part 16 - Declaration

Before signing the declaration, make sure you have.

- Filled in the form correctly.
- Read and understood the declaration.
- Provided the proof that we have asked for.
- Understood your responsibility to tell us about any changes in your circumstances.

Some examples of changes you must tell us about:

- your children leaving school or leaving home.
- anyone moving into or out of your home.
- a change in your income or the income of anyone living with you, including benefits.
- a change in your capital or savings.

- if you or anyone living with you becomes a student, goes on a training scheme, goes into hospital or a nursing home, goes into prison, changes or leaves a job.
- if your rent changes (this does not apply to council tenants).
- if you move address.
- if you or your partner are going to be away from home.

You must tell us about these changes. If you do not tell us about these changes you may lose money you are entitled to or you may get too much benefit. It is an offence not to tell us about any change of circumstances that affects your benefit. If we pay too much benefit, you may have to pay it back. We may also take court action against you.

If someone completes the form on your behalf they must provide the following information.

- Name of the person who filled in the form.
- Tell us why they filled in the form.
- Sign the form.
- Tell us their relationship to you.
- Date they completed the form.

2. Second Adult Rebate

Second Adult Rebate is Council Tax Reduction for people who may not have a partner but who share their home with someone who is 18 or over, on a low income and does not pay them rent.

It is not based on your income or savings but on the incomes of the other people who live with you. You may be able to get a reduction in your council tax of up to 25%. If you are claiming Second Adult Rebate, only fill in Parts 1, 3 and 15 of the form.

3. Local Housing Allowance

Local Housing Allowance is a way of working out claims for Housing Benefit for tenants renting accommodation from a private landlord.

If you live in council accommodation or an Orkney Housing Association property, Local Housing Allowance will not affect you.

Payments cannot normally be paid to your landlord. However, if you feel there is a reason why you cannot manage your rent payments, you should contact us to explain your reasons why. Details of when payments can be paid direct to your landlord can be found in a separate leaflet entitled HB(LHA) 3. More information can be found on the Council's website.

4. When we usually pay benefit from

If this is your first claim we will usually pay your benefit from the Monday after we get your form.

If this is a change in circumstances provided we get your form within 4 weeks of when your last claim finished, we will pay your benefit from the day after the last claim ended. If the form arrives more than 4 weeks after your last claim finished, we will only be able to pay your benefit from the Monday after we get your form.

5. How the benefit will be paid

If you are entitled to Council Tax Reduction it will be paid straight into your Council Tax account and a revised bill will be issued to show the reduction in your payments.

If you are entitled to Housing Benefit and live in a council house your benefit will be paid straight into your rent account every week and you will pay less rent to the council.

If you are entitled to Housing Benefit and pay rent to a private landlord, payments will normally be made direct to you every two weeks in arrears.

If you are entitled to Housing Benefit and pay rent to Orkney Housing Association Limited you can ask for payment to be made direct to your landlord – payments will normally be made four-weekly in arrears.

6. Fast Track Service

If you provide all the information we require, we can process your claim within three working days. To benefit from this service you must provide the following.

- A fully completed and signed application form.
- All necessary documents/evidence required to support your claim.

7. Returning the application form

Once you have completed the form you should return it, along with relevant evidence, to the Benefits Section, Orkney Islands Council, Council Offices, Kirkwall, KW15 1NY.

We cannot pay you benefit until we have seen the proof we have asked for - you must provide original documents, not copies. If you cannot provide the proof we need straight away, don't worry - send the form to us, but let us know that you will be sending some proof later.

If you have any queries on completion of the form you contact us as follows.

Telephone: 01856873535 Extension 2116.

Telephone: 01856886312 (direct dial).

Email: benefits@orkney.gov.uk

Orkney Islands Council website: <http://www.orkney.gov.uk/>

You can also visit the Council Offices (09.00 to 17.00 hours Monday to Friday) and receive assistance from a member of staff in a private interview room. If you have difficulty visiting the council offices please let us know and a member of staff may be able to visit you in your own home.

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