



Can you backdate my housing benefit and council tax benefit?

**This leaflet explains about backdating benefit.
The rules are the same whichever area you live in.**

I am a pensioner. When will my benefit start?

If you, or your partner, are of pensionable age and qualify for housing benefit and council tax benefit (or both), we can backdate your benefit up to three months before the date you made your claim. For us to work out how much benefit you will be entitled to, you will need to give us proof of your income, savings and rent for the period you want to claim. Please contact us if you think your claim should start from an earlier date. We do not need to know why you did not claim sooner to backdate your benefit, but we will only go back to your pensionable age or the day you became liable for rent or council tax (if these are later).

The rest of this leaflet explains about backdating for people under 60.

I am under 60. When will my benefit start?

If you qualify for housing benefit or council tax benefit (or both), we will normally pay your benefit on the Monday after you asked us for an application form (as long as you return the application form within one calendar month of contacting us).

When you make a claim for housing benefit or council tax benefit (or both) over the phone through Jobcentre Plus, we will treat the date of your claim as the same date you contacted Jobcentre Plus.

If you get income support or jobseeker's allowance (income based), incapacity benefit or jobseeker's allowance (contribution based), all the benefits will have the same claim date.

Sometimes we can pay benefit for a period before the

date you claimed. This is called backdating. The law says we can backdate your benefit for up to six months. However, you must have a good reason why your claim is late. This is known as 'good cause'.

What is considered to be 'good cause'?

We will look at each case individually. 'Good cause' is a reason that prevented you from claiming benefit earlier. Good causes may include the following, depending on the circumstances:

- You were ill and no-one else could claim for you.
- You were given the wrong advice by an official organisation who said you were not entitled to housing benefit or council tax benefit (or both).
- You did not claim immediately after leaving hospital, prison or long-term care (further information may be requested from you).
- You were not able to manage your own affairs and had no-one to help you.
- A close relative died.

These examples are only a guide to help you. They are not a full list of all possible reasons and may not be acceptable if not proven. If you forgot to claim, or did not know you could claim, this would not be a good reason on its own. To qualify for backdated benefit, you must be able to prove you had 'good cause' and why you did not claim earlier (supporting evidence may be required).

Here are some examples

You were ill from January to March and only claimed benefit in March when you were better. You did not claim before because you had no one to help you and you were unable to contact the benefit office. In this case, we may backdate your benefit to January.

However, if you were ill from January to March and had no-one to help you make a claim, but you did not claim until May, we would not backdate benefit to January because you were not ill from January until May.

How do I claim backdated benefit?

If you think you have good cause for making a late claim, you should tell us in writing straight away. You can contact us for a form or just write to us. You must tell us the period you want to backdate your benefit for and tell us why your claim is late. We will need to see proof of your income, savings and rent payments for the period you want to backdate your benefit for and any proof to support your reasons (for example, medical certificates or hospital letters).

If you would like some help, please ask us. You can also get help from an advice agency, such as a citizens advice bureau. You can find their phone number and other advice agencies in the phone book and at your local library, or by contacting us.

What happens then?

We will decide if we can backdate your benefit based on the information you give us. We will write to you and tell you our decision. If we decide not to backdate your benefit, we will tell you why.

What if I do not agree with your decision?

We may decide that your reasons are not good enough for us to backdate your benefit. If you do not agree with our decision, you should write and ask us to look at the decision again. You must contact us within one month of the decision letter. You can also phone us, write to us or visit us to ask us to explain our decision. You can also ask for a written statement of our reasons for our decision which will give you more information.

If you are still not satisfied, you can appeal to us in writing. The tribunals service will then decide on your appeal at a tribunal hearing (see the leaflet What to do if you think the decision about your housing benefit or council tax benefit is wrong for more information).

Where can I get more advice?

If you want more help or advice, you can contact us at:

Council Offices

Civic Centre,
Sandown,
Isle of Wight
PO36 9EA

Tel: 01983 823950

Email: housing.benefit@iow.gov.uk

Opening times:

8.30am to 5pm, Monday, Wednesday, and Thursday.

8.30am to 4.30pm Friday.

This office is closed all day on Tuesdays.

Late night for phone calls to the benefit team on
Wednesday evenings until 6pm.

Customer Services Centre

County Hall,
Newport,
Isle of Wight
PO30 1UD

Opening times:

8.30am to 5pm, Monday, Tuesday, Wednesday and
Thursday.

8.30am to 4.30, Friday.

Ryde Help Centre

Ryde Library,
101 George Street,
Ryde,
Isle of Wight
PO33 2JE

Opening times:

9am to 5pm, Monday, Tuesday and Friday

Freshwater Library

41 School Green Road,
Freshwater,
Isle of Wight
PO40 9AP

Opening times:

9.30am to 12.30pm, and 1.30 to 4.30pm, Tuesday

If you would like more information on benefits, please refer to our website at iwight.com and follow our quick link to **revenues and benefits**. Alternatively visit direct.gov.uk

You can also get more help from the following websites:

www.dwp.gov.uk – Department for Work and Pensions

www.therentservice.gov.uk – The Rent Service

www.adviceguide.org.uk – Citizens Advice

Independent advice

If you need independent advice, contact your

local citizens advice bureau. You can find their phone number (and the numbers for other local advice agencies) in the phone book and at your local library, or by contacting your local council.

This leaflet is a guide and does not cover every circumstance. Some of the information in this leaflet may have been simplified and some information may become out of date because of changes to the law. We recommend that you get independent advice before making financial decisions based on this leaflet.

Isle of Wight Council, Revenues and Benefits,
Council Offices, The Broadway, Sandown, PO36 9EA

Telephone (01983) 823950

Email housing.benefit@iow.gov.uk

Web www.iwight.com

If you have difficulty understanding this document, please contact us on 01983 821000 and we will do our best to help you.