

Housing Benefit and Council Tax Benefit

Can my claim be backdated?



Equal Opportunities Statement

Dartford Borough Council and Sevenoaks District Council are committed to ensuring that no service user or customer is discriminated against on the grounds of gender, race, colour, ethnic origin, disability, sexuality or religion.

Leaflets available:



A Guide for Working Age People (Leaflet 1 WRK)



A Guide for Pensioners (Leaflet 2 PNS)



Can my claim be backdated? (Leaflet 3 BKD)



Changes you need to tell us about (Leaflet 4 C/C)



A Guide for the Self-Employed (Leaflet 5 S/E)



Extra help towards your Rent & Council Tax (Leaflet 6 DHP)



What do I do if I disagree with your decision? (Leaflet 7 APP)



What happens when I have been paid too much? (Leaflet 8 O/P)



A Guide for Landlords (Leaflet 9 L/L)



Attending an Interview Under Caution (Leaflet 10 IUC)



Can I ask someone to act on my behalf? (Leaflet 11 ACT)

**This leaflet is available in large print, please phone:
01732 227414.**

**This leaflet can be explained in other languages please phone:
01322 343705 or 01732 227000.**

Please note that whilst every effort has been made to ensure that the details given in this leaflet are correct, the information should not be treated as an authoritative statement of benefit regulations.

Can my claim be backdated?

If you qualify for Housing Benefit and/or Council Tax Benefit we usually pay it from the Monday after you make a claim.

Sometimes we can pay benefit before the date you claim. This is called **backdating** your claim.

The law says that we can backdate a claim for up to 6 months for working age customers from the date of your written request. There must be a good reason why your claim is late - this is known as **good cause**. Good cause must be continuous for the period you want benefit backdated. All requests for backdating must be in writing.

What do you mean by good cause?

Good cause includes the following:

- you were ill and had no one to make the claim for you
- you could not reasonably have been expected to know your rights, for example, if the law has recently changed
- you were wrongly advised by an official organisation that you were not entitled to Housing Benefit and/or Council Tax Benefit or
- you were unable to manage your affairs and did not have an 'appointee' or someone to help you.

You may also be asked to provide evidence to support your request for backdating. Quoting one of these reasons alone will not automatically mean that you have proved **good cause** - each case is judged on its own merits and good cause must be continuous for the period.

An example of Backdating

You were ill from January to March, and only claimed benefit in March when you were better. You hadn't been able to claim before March because you had no one to act for you. In this case, we would consider backdating your benefit to January.

But

If you were ill from January to March and had no one to act for you and you delayed your claim until May, we would not be able to backdate your claim to January. We would only pay Housing Benefit from May because 'good cause' was not continuous from January to May.

What do I do if I think I have good cause for making a backdated claim?

If you think you have good cause for making a backdated claim you must complete a claim form for the period you wish to claim for and send it to us together with the completed form opposite or a letter asking us to backdate your claim. In your letter tell us the period you want benefit backdated for and give full details of why your claim is late. We will then make a decision and write to you telling you whether we can backdate your benefit.

What can I do if I disagree with your decision?

If you disagree with our decision, you can ask us to look at it again. Our letters tell you what your rights are.

For more information see our leaflet **What do I do if I disagree with your decision** (leaflet 7 APP)

Application for you to backdate my benefit

My benefit ref no

My full name

The address I want the backdated benefit for

The date (if known) my benefit started

Please consider backdating my benefit to start from

Please consider my application for backdating benefit. I have good reasons for not applying for benefit earlier. Here are the reasons (please provide any relevant proof)

Continue over the page (if necessary)

Declaration. To my knowledge the details on this form are true and correct. I understand that if I give incorrect information, or withhold information, I will have to pay back any overpayment of benefit, and you may also take action against me. I know I must let Benefit Services know about any further changes in my circumstances that may affect my claim.

Signature

Date / /

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Where can I get help?

You can always phone us for help and advice. For details visit our website www.dartford.gov.uk or www.sevenoaks.gov.uk or see the back of this leaflet.

You could also contact or visit the following:

Dartford Citizens Advice Bureau

Trinity Resource Centre, High Street, Dartford DA1 1DE

Call: 01322 224686

Edenbridge & Westerham Citizens Advice Bureau

68 High Street, Edenbridge TN8 5AR

Call: 01732 865131

Email: Edenbridge@cabnet.org.uk

Sevenoaks & Swanley Citizens Advice Bureau

Buckhurst Lane, Sevenoaks TN13 1HW

Call 01732 456100

Email: info@sevenoaksdistrictcab.org.uk

16 High Street, Swanley BR8 8BG

Call: 01732 456100

Email: info@sevenoaksdistrictcab.org.uk

Shelter Kent Housing Aid

Bull Yard

High Street

Ashford

TN24 8SN

Call: 0344 515 1444

Email: ashford@shelter.org.uk

If you have any questions about your Housing Benefit or Council Tax Benefit



Phone us on: 01322 343705 (Dartford)

01732 227000 (Sevenoaks)

A service is available for minicom users on: 01732 227496
(for textphone users only)



Write to us at:

Benefit Services, Dartford Borough Council
Civic Centre, Home Gardens, Dartford, Kent DA1 1DR

Benefit Services, Sevenoaks District Council
PO Box 102, Argyle Road, Sevenoaks, Kent TN13 1GT



**E-mail us at: benefits@dartford.gov.uk
benefits@sevenoaks.gov.uk**

Visit our main offices at the following times:



Dartford

Monday - Thursday 8:45am to 5:15pm

Friday - 8:45am to 4:45pm

Sevenoaks

Monday - Wednesday 8.45am to 5.00pm

Thursday 9.30am to 5.00pm

Friday 8.45am to 4.45pm

**For appointments at our Edenbridge, Swanley & Hartley surgeries
please call 01732 227000**

What if I want to comment on your service?

Please get in touch with us. We would like to know what you think.
Information on how we deal with comments about our services is
available on our websites: www.dartford.gov.uk or www.sevenoaks.gov.uk