

If you have any questions about your
Housing Benefit or Council Tax Benefit
phone us on: **01322 343705**

We welcome calls via Talktype.

Write to us at:

**Benefit Section
Dartford Borough Council
Civic Centre
Home Gardens
Dartford
Kent
DA1 1DR**

E-mail us at benefits@dartford.gov.uk

Visit our main Dartford office at the following times:

Monday to Thursday: 8.45am - 5.15pm

Friday: 8.45am - 4.45pm

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 website www.dartford.gov.uk

Alternatively, a leaflet entitled '**How to complain to Dartford Borough Council**'
is available from our offices. This leaflet includes an easy to use complaint form.

Housing Benefit and Council Tax Benefit Can my claim be back dated?



www.dartford.gov.uk/benefits

DARTFORD
BOROUGH COUNCIL

Equal Opportunities Statement

Dartford Borough Council recognises that there are groups in society who are discriminated against and therefore aims to make sure that all the people it serves have equal access to all facilities and services.

Leaflets available:

- A Guide for Working Age People (Leaflet 1)
- A Guide for Pensioners (Leaflet 2)
- Can my claim be backdated? (Leaflet 3)
- Changes you need to tell us about (Leaflet 4)
- A Guide for the Self-Employed (Leaflet 5)
- Extra help towards your rent & council tax (Leaflet 6)
- What do I do if I disagree with your decision? (Leaflet 7)
- What happens when I have been paid too much? (Leaflet 8)
- A guide for landlords (Leaflet 9)

This leaflet can be made available in large print, please phone: 01322 343705

This leaflet can be explained in other languages please phone: 01322 343705

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.

For Pension Credit age customers, a claim can be backdated for up to 3 months.

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)

Application for you to backdate my benefit

Benefit reference no.:

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 the Benefit Section know about any further changes in my circumstances that may affect my claim.

Signature _____ Date _____

Where can I get help?

You can always phone us for help and advice. For details visit our website www.dartford.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
Kent
DA1 1DE

Telephone: 01322 224686
Fax: 01322 220448
Website: www.citizensadvice.org.uk

Telephone Advice:

Tues, Wed & Thurs 10am-1pm

Open Door (no appointments necessary):

Monday 10am-1pm

Wednesday 10am-1pm

Thursday 10am-1pm

Home visits are available by appointment for clients who are housebound and can be arranged by telephoning 01322 224686.

Free independent advice and information on a range of issues including legal rights, housing rights, welfare benefits and debt counselling.