

## Can I appeal against your decision?

If we refuse your claim for backdating and you are not satisfied with our reasons, you can ask us to look at our decision again. If we do not change our decision and you are still not happy, you can appeal in writing.

Please contact us if you want more information about appealing.

## Do you need help with this leaflet?

Maybe English is not your first language, you have difficulty reading it because the print is too small, or you are not sure what it means.

Please phone  
**01395 517446.**

## Contact us



### Phone:

Our Benefits and Council Tax Helpline  
**01395 517446** between 8.30am and 5.00pm



### Visit us at:

- **The Council Offices, Knowle, Sidmouth**  
daily between 8.30am and 5.00pm
- **Exmouth Town Hall**  
daily except Wednesday  
from 9.00am to 1.00pm  
and 2.00pm to 4.30pm
- **One of our regular surgeries**  
in Axminster, Seaton or Honiton  
(phone **01395 517446** for dates and times)



### Write to us:

Housing Benefits  
East Devon District Council  
Knowle, Sidmouth EX10 8HL

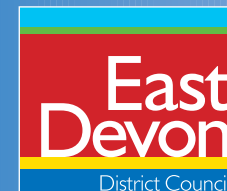


### Email us:

[benefits@eastdevon.gov.uk](mailto:benefits@eastdevon.gov.uk)

### Visit our website:

[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)



# Backdating

## Housing and Council Tax Benefit



## Backdating your benefit claim

This leaflet explains the rules about backdating Housing and Council Tax benefit. The rules are different if you are over or under 60.

### If you are over 60

We can backdate your benefit up to 52 weeks before the date you made your claim, as long as you (or your partner) were entitled to benefit for the whole of that period.

We will give you your benefit automatically. We do not need to know why you did not claim the backdating sooner.

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.

### If you are under 60

Housing Benefit and Council Tax Benefit are normally awarded from the Monday after the day you made your claim, as long as you return the application form within **one calendar month** of contacting us.

## When can I claim backdated benefit?

You can claim backdated benefit if:

- you have already completed the Housing Benefit and Council Tax claim form, but
- you think you should have had benefit for a period before you made your claim.

The law says we can backdate your benefit for up to 52 weeks. But, you must have a 'good reason' why your claim is late.

## What is 'good reason'?

In general, a good reason is something that stopped you from claiming earlier. The benefit regulations do not say what are, and what are not, good reasons so we must look at each case individually.

Some examples of good reasons are:

- you were ill and no-one else could claim for you;
- you were waiting for a decision about another benefit;
- we, or another official person who should have known better (for example someone at the Job Centre), gave you the wrong advice;
- language difficulties
- you did not claim immediately after leaving hospital, prison or long-term care;
- you were not able to manage your own affairs and had no-one to help you;
- a close relative died.

You should give as much information as you can for the **whole** of the time you want your benefit backdated. If you have more than one reason for not claiming earlier, you must tell us about all those reasons.

## What is not good reason?

The examples that follow are not normally considered good reasons for backdating a claim:

- not claiming because you thought you would not qualify;
- waiting for proofs to go with the application form;
- forgetting to post the application form or mislaying it.

## How do I claim backdated benefit?

Write to us straight away and tell us:

- the period you want us to backdate your benefit for,
- why your claim is late.

The good reason must apply over the whole period for which you want benefit backdated.

## What happens next?

We will write to you and tell you our decision. If we decide not to backdate your benefit, we will tell you why.