

Getting the Benefit

**A Guide to Housing Benefit and the Council Tax
Reduction Scheme**
April 2017



West Lothian
Council

Your local Council Information Service Centres

Armadale 1/3 East Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm	Blackburn Connected The Mill Centre Mon 9.00am – 5.00pm Tues 9.00am – 7.00pm Wed 9.00am – 3.00pm Thurs 9.00am – 7.00pm Fri 9.00am – 5.00pm Sat 9.30am – 12.30pm
Broxburn Strathbrock Partnership Centre 189a West Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm	Bathgate Partnership Centre, Lindsay House South Bridge Street Mon - Thurs 8.30am – 5.00pm Fri 8.30am – 4.00pm
Fauldhouse Partnership Centre Lanrigg Road Mon, Tues, Wed, Thurs, Fri 9.30am – 6.00pm	Linlithgow County Buildings Mon, Tues, Thurs 8.30am – 5.00pm Wed 10.30am – 5.00pm Fri 8.30am – 4.00pm
Carmondean Connected Carmondean Centre, Deans Mon, Fri 9.00am – 6.00pm Tues, Thurs 9.00am – 8.00pm Wed 9.00am – 6.00pm Sat 9.00am – 1.00pm	West Lothian Connected Arrochar House - Livingston Mon, Tues, Thurs 8.30am – 5.00pm Wed 10.00am – 5.00pm Fri 8.30am – 4.00pm
West Calder 24-26 Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 10.30am – 5.00pm Fri 8.30am – 4.00pm	Whitburn 5 East Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm

**For further advice you can telephone our
Customer Service Advisors on 01506 280000**

For people who are deaf or hard of hearing we have a Textphone facility which is:

Textphone to Textphone **018001 01506 591652**
 Standard Phone to Textphone **018002 01506 591652**

In addition, West Lothian Council's Advice Shop provides advice on all aspects of state benefits. Advice Surgeries operate throughout West Lothian.

For further details of times and venues call the **Advice Line** on **01506 283000**

Getting help with your Rent and Council Tax

In this booklet we explain how we work out Housing Benefit and the Council Tax Reduction award.

- **Non dependant deductions**

If you have non-dependants, usually adult sons or daughters or friends, living in your house then they are expected to contribute to your rent and council tax costs. A non-dependant deduction is made from your Housing Benefit award or your Council Tax Reduction Award. These deductions are increasing this April. We tell you more about this on pages 2 and 3 of this booklet.

- **Council Tax Reduction scheme**

From April 2013 Council Tax Benefit has been replaced by the Council Tax Reduction scheme which helps people on low incomes with their Council Tax bills.

The maximum council tax that is eligible for the reduction award does not include water and sewerage charges.

You must still tell us immediately about any changes in your circumstances which occur during the year which might mean we need to recalculate your award. More details about the changes of circumstances you need to tell us about to keep your Council Tax Reduction award and your Housing Benefit award correct are given in this booklet.

From April 2017 Non-Dependant Deductions are increasing

This change applies to most tenancies where there is a non dependant.

Tenants of private landlords who have a non-dependant will be affected.

Council tenants and tenants of Housing Associations will also be affected by this change.

It affects people of working age and people who have reached pension age.

Owner – occupiers who receive help with their council tax bills through the Council Tax Reduction scheme will also be affected – if they have a Non-Dependant staying with them.

Some disabled people and those who receive the care component of Disability Living Allowance or the daily living component of Personal Independence payment will not be affected.

Non-Dependants are adults (aged 18 or over) who live with you but are not joint-tenants or your partner. Usually they are adult sons or daughters or other family or friends who live in the house with you.

If you have any non-dependants staying with you they are expected to contribute towards your rent or council tax.

Non-Dependant Deductions are amounts of money by which your Housing Benefit award or Council Tax Reduction award is reduced depending on the income any non-dependant has.

These amounts are set by the Government and change each year.

This means that those affected by non-dependant deductions will lose a larger proportion of their Housing Benefit and Council Tax Reduction from April this year.

New rates of Non-Dependant Deductions from April 2017

Non-Dependant Income	Wkly Deduction from the award of Housing Benefit	Wkly Deduction from the Council Tax Reduction award
<i>Aged 18 to 24 in receipt of Income Support or Job Seekers Allowance (IB) or Employment and Support Allowance (IR) or Universal Credit (no earned income)</i>	<i>Nil</i>	<i>Nil</i>
<i>Others aged 18 or over not in remunerative work</i>	<i>£14.80</i>	<i>£3.95</i>
<i>Aged 25 and over in receipt of Income Support or Job Seekers Allowance (IB) or Employment and Support Allowance (IR)</i>	<i>£14.80</i>	<i>Nil</i>
<i>Aged 18 or over earning less than £136 weekly</i>	<i>£14.80</i>	<i>£3.95</i>
<i>Aged 18 or over earning £129 to £188.99 weekly</i>	<i>£34.00</i>	<i>£3.95</i>
<i>Aged 18 or over earning £136 to £258.99 weekly</i>	<i>£46.65</i>	<i>£7.85</i>
<i>Aged 18 or over earning £259 to £345.99 weekly</i>	<i>£76.35</i>	<i>£7.85</i>
<i>Aged 18 or over earning £346 to £429.99 weekly</i>	<i>£86.95</i>	<i>£9.95</i>
<i>Aged 18 or over earning £430 or more weekly</i>	<i>£95.45</i>	<i>£11.90</i>

Maximum rent for benefit purposes

If you are entitled to Housing Benefit we first need to work out what your weekly **eligible** rent is.

This is the amount of your rent that is eligible for Housing Benefit. It may be less than your actual rent if your rent includes charges for services like heating or meals, or garage or insurance charges. We have to deduct these charges from your rent before we start working out your Housing Benefit.

There are also limits on the amount of rent that Housing Benefit can cover:

Eligible rent for tenants renting from private landlords

For tenants of private landlords, the eligible rent is usually limited to the Local Housing Allowance rate set by the Rent Officer. Under the Local Housing Allowance a tenant is entitled to the following number of bedrooms (up to a maximum of 4):

- 1 bedroom for an adult couple or a single adult *
- 1 bedroom for any other adult aged 16 or over
- 1 bedroom for any two children of the same sex aged 15 or under
- 1 bedroom for any two children under 10 regardless of sex
- 1 bedroom for any other child
- 1 bedroom for a non-resident overnight carer

**Under the Local Housing Allowance rules for tenants of private landlords, the maximum rent for most single people under 35, who live alone, is the rate for a single room with shared facilities. This rate is much lower than the rate for a self-contained 1 bedroom flat or house.*

The Local Housing Allowance rates are published on our website at www.westlothian.gov.uk

Eligible rent for tenants renting from the council or from housing associations

Tenants of working age who rent from the council or from other social landlords such as Housing Associations will have their Housing Benefit reduced if they are living in a property that is too big for their needs.

This will not affect tenants who have reached the age for state pension credit.

Housing Benefit for people of working age has been restricted to the number of bedrooms you need

As from the 1 April 2013 the UK Government has introduced size restrictions on the number of bedrooms people need based on the size of their household. For example, if a married couple are the only people who stay in a property that has two bedrooms, they will have one bedroom too many. Under these rules they will be “under-occupying” the property.

Under occupying is where the government believes that you are living in a property that is bigger than you need. Because there is a shortage of family homes across the country, the government is going to reduce the amount of Housing Benefit for people who are under occupying. The aim is to encourage people of working age with bigger homes to downsize, so families needing larger homes can be housed.

Under these rules you are under occupying your home if you have more bedrooms than you need.

This is the number of bedrooms people are entitled to under these rules:

- 1 bedroom for an adult couple or a single adult
- 1 bedroom for any other adult aged 16 or over
- 1 bedroom for any two children of the same sex aged 15 or under
- 1 bedroom for any two children under 10 regardless of sex
- 1 bedroom for any other child
- 1 bedroom for a non-resident overnight carer

If you are under occupying your home the amount of Housing Benefit you receive will be reduced and you will have to pay the rest of the rent yourself. The Council will contact you to offer assistance through an award of Discretionary Housing Payment.

There are two rates of reduction:

If you have one extra bedroom the eligible rent used to work out your Housing Benefit will be reduced by 14%

If you have two or more extra bedrooms the eligible rent used to work out your Housing Benefit will be reduced by 25%

Explaining some of the items in the benefit award letter

The items below are the ones we have to use in the letter you receive, showing how your benefit is worked out.

Applicable amount is the minimum amount of money the government says you need to live on each week. Your applicable amount is made up of personal allowances and premiums related to the ages and circumstances of you and your household.

Income is the amount of money you have coming in each week. We work this out based on the information you give us on your claim form.

Disregarded Income is money that is not counted when your Benefit is worked out.

Working out your Benefit

There are four basic stages.

- First we calculate your income based on what you have told us. This will be all income from all sources minus any income disregards (if you work we will disregard some of your earnings, but we still need to know all your earnings before we can do this) and some other income disregards. (Such as certain child care costs).
- Then we work out your applicable amount by adding up all the personal allowances and premiums that apply to you and your household.
- We then compare your income with your applicable amount.

Excess Income is the amount of your income that is above your applicable amount.

If your income is greater than your applicable amount then we have to take a part of this excess income from your maximum eligible rent or council tax.

Deduction for Excess Income is the amount we reduce your Housing Benefit or Council Tax Reduction award by, to take account of your excess income.

This is a percentage set each year. For Housing Benefit the percentage is 65%, for Council Tax Reduction the percentage is 20%

If you are entitled to Income Support or Income-Based Job Seekers Allowance or Income-Related Employment Support Allowance we will not normally have to do all of this. If you get those benefits then you will normally be awarded the maximum eligible rent or council tax, less any non-dependant deductions (see below).

If you are of pension age and are entitled to the Guaranteed Pension Credit then you will normally be awarded the maximum eligible rent or council tax, less any non-dependant deductions (see below).

- Finally we would make any relevant non-dependant deductions to your award. (See pages 2 and 3 for more information about non-dependants)

Getting the Benefit - *Keeping it right*

If your circumstances change in any way, you **must** tell the Benefits Team of the Council straight away.

Why?

Your Housing Benefit award and Council Tax Reduction award has been worked out on the information you gave us on your last claim form. If your circumstances have changed since then, your benefit award might be wrong.

Some changes will mean you get more benefit and some changes means you will get less benefit, but it is always in your interest to tell us of any changes right away – otherwise we may have to claim money back from you later.

Some of the main changes you need to tell us about are:

Changes in your household such as:

- Someone leaves your home
- Someone moves into your home
- Your family increases
- A child leaves school, or college
- Someone in the house starts work, or stops work
- Someone in the house stops or starts to get Jobseekers Allowance



Changes in income and savings such as:

- The amount of your earnings goes up or down
- The amount of overtime changes
- The amount of Tax Credit you get goes up or down
- The amount or type of benefit you get changes
- Any other income that you have changes



You also need to tell us about any changes in the income of your partner, and any other people who live in your household

Tell us about changes in where you live such as:

- Your rent goes up or down -
if you are a tenant of a private landlord
- Your tenancy agreement changes
- You move address



Other changes which you should tell us about include:

- You or your partner leave the country
- You are likely to be away from your house
for more than 13 weeks



This list tells you about some of the main changes that you need to tell us about, but it doesn't include everything.

If you have a change of circumstances and are unsure about whether you need to tell us – Tell us anyway and we will be able to put your mind at rest.

Remember to tell us about any changes, even if you have already told someone else such as the Jobcentre or another Council department.

Tell us what the change is and when it happened. We will then make sure you get the right benefit or award.

Reporting a change in your circumstances

- You can come into any of our local offices to tell us about a change in your circumstances.
- Tell us what the change is and the date the change happened.
- If the change means you are likely to get more benefit (such as your earnings being reduced, or a non-dependant moving out), then you need to bring in proof of the change.

The staff in our local offices can take photocopies of any documents free of charge and hand you back the originals. They can also help by writing down any changes and asking you to sign the statement.

- If you don't want to use the local office you can write to us at:

Benefits

Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

- You can also telephone us on **01506 280000**
- You can use our online changes of circumstance form on our website at www.westlothian.gov.uk

Getting the Benefit - *Making sure it's right*

What happens if I don't tell you about changes?

- If you don't tell us, we're likely to go on paying the same rate of benefit or reduction award as before and this may be wrong.
- We may need to change the amount we pay you, or stop your benefit completely because of a change.
- If you don't tell us, or are slow to tell us, we may have paid too much. We will expect you to pay it back, either by adding the sum to your council tax bill or taking it out of the benefit we're still paying you.

Getting rid of fraud and error

Like all councils, West Lothian Council has a duty to stop fraud and error in the Housing Benefit and Council Tax Reduction schemes. Fraud and error cost every council money, and it is the vast majority of honest claimants and council taxpayers who are left to pick up the bill.

To stop fraud and error getting into the system in the first place we must ask everyone for proof of their details when they make a new claim and when we review their claim. We will contact you from time to time to review your claim.

If you wish to report Housing Benefit fraud contact the Department for Work and Pensions National Benefit Fraud helpline on 0800 854 440 (textphone 0800 320 0512).

Housing Benefit fraud can also be reported online to the Department for Work and Pensions Benefit Theft website at www.gov.uk/report-benefit-fraud

What to do if you think there is a mistake in your benefit or council tax reduction award

- You can **phone** us and we will explain how we have worked out your benefit. The number is 01506 280000.
- You can **write** to us asking for a statement of the reasons for our decision. You must sign this letter.
- You can **write** to us asking us to look at the decision again. You must do this within one month of receiving your award letter.
- You can **write** to us appealing against our decision. You must do this within one month of receiving your benefit award letter. You must sign your appeal letter and give reasons why you think the decision is wrong.

At West Lothian Council we are always aiming to improve our information and make it easier for you to use our services.

The Council's Revenues Unit has improved its service by launching a new generation of smart E-Forms, making claims and reporting a change of circumstances much easier.

In addition we have a range of booklets which explain all aspects of the Housing Benefit and Council Tax Benefit schemes

[See our website at www.westlothian.gov.uk](http://www.westlothian.gov.uk)

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.
الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 280000

এই তথ্য আপনি ব্রেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষাগুলিতেও পাবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলিফোন: 01506 280000

這份資料是可以凸字、錄音帶、大字印刷及社區語言的式本提供。請聯絡傳譯及翻譯服務部，電話：01506 280000

ਇਹ ਜਾਣਕਾਰੀ (ਬੁੱਕ) ਨੈਬਰਹੀਨ ਏ ਪੜ੍ਹਣ ਵਾਲੀ ਸਿੱਖੀ, ਟੇਪ, ਵੱਡੇ ਫਿੰਟ ਅਤੇ ਸਮਾਨ ਈਆ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਉਪਲਬਧ ਹੈ। ਸਿੱਖਾਂ ਵਰਗੇ ਇੰਟਰਪ੍ਰੀਟਰਸ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸਰਵਿਸ ਨੂੰ ਇਸ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ : 01506 280000

یہ معلومات بریل (انحصار کے رسم الخط)، نیپ، بڑے حرف کی طباعت اور کیسٹوں میں بول جانے والی زبانوں میں دستیاب ہے۔
برائے مزید تفصیلات یا درخواستوں کے لیے براہ کرم 01506 280000 پر رابطہ قائم کریں۔

Informacje te mogą być przełożone na język Braille'a, dostępne na taśmie magneto fonowej lub wydane dużym drukiem oraz przetłumaczone na języki mniejszości narodowych.
Prosimy o kontakt z Usługami Tłumaczeniowymi pod numerem 01506 280000

Published by West Lothian Council, Civic Centre, Livingston, EH54 6FF

Please retain for your information