How to contact us

By Telephone: 01635 519258

By Fax: 01635 519286

By Email: revenues&benefits@westberks.gov.uk

By Post: Benefits & Exchequer
West Berkshire District Council
Council Offices
Market Street
Newbury
RG14 5LD

In Person: Customer Services at the abover address are open during the following times.

Monday to Thursday	8.30 a.m.-5.00 p.m.
Friday	8.30 a.m.-4.30 p.m.

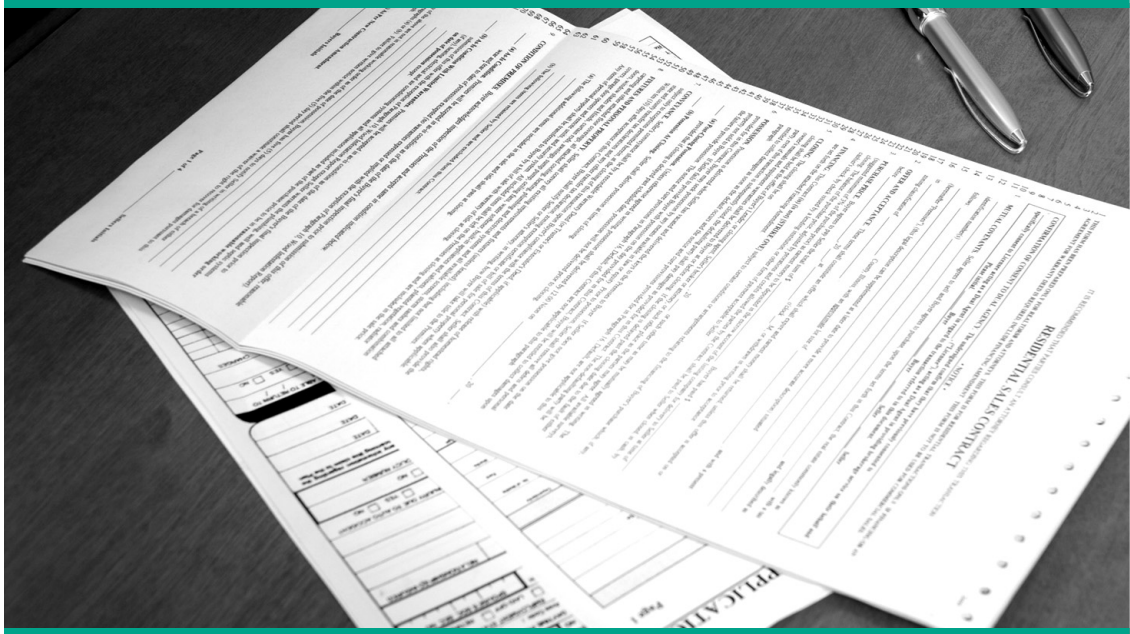
You can also visit us at the following Community Information Centres.

Burghfield	Burghfield Library, School Lane	10:00 am to 12 noon every other Monday
Calcot	Sainsburys, 1st Floor, Calcot	10:00 am - 5.00 pm Monday - Friday 10:00 am - 1.00 pm Saturday
Hungerford	Hungerford Library, Church Street	9:00 am to 1:00 pm every Wednesday
Lambourn	The Lambourn Centre Close End	10:00 am to 12:00 noon every other Friday
Mortimer	Mortimer Library, 27 Victoria Road	10:00 am to 12:00 noon every other Friday
Thatcham	Cash Office, Thatcham Town Council Offices Brownsfield Road	9:30am to 1:00 pm and 2:00 pm to 4:30 pm every Tuesday

Your benefit decision

Explanatory notes

The information contained in this document can also be made available in large print, on audio cassette, in Braille or in other languages. Please contact us if you wish to arrange this.



West Berkshire COUNCIL

About your benefit decision

To help you understand your decision notice we have aimed to address some of the questions you may have relating to your claim for benefit.

The enclosed notices show **'The Weekly Benefit Award'**, this is your weekly entitlement to Housing and/or Council Tax Benefit. It also tells you the date that **'The Benefit Starts on'**, and how your benefit will be paid."

Where a change affects different periods in the life of your benefit claim we are required to make a separate decision in respect of each of those periods and to notify you accordingly. This means that sometimes you may receive several pages at the same time.

If you think that we may have made a decision without taking into account all the relevant information, or you believe we have made an error you should write to us within one month of this decision notice telling us what you disagree with and provide such information or evidence as necessary so that we can look at the decision again.

Overpayments resulting from incorrect benefit entitlement, however caused, are recoverable in most circumstances.

For each benefit period we assess you will receive a **'Benefit Decision Notice'**, which tells you the benefit entitlement you have been awarded

The law states that we must send you these notices. As a claimant it is your responsibility to check the information they contain.

Understanding your decision notices

Information used in your claim

The information you have provided with your claim form and the additional information and evidence you supply, is used to determine your entitlement to benefit.

When you apply for benefit you make a declaration that the information you have provided is to be used in the processing of your claim. Any person who provides false statements, information or documents at the time of or in support of their claim may be liable to prosecution.

Mistakes or omissions should be notified to us immediately.

You have a duty to notify the local authority of any change in your circumstances which may affect your right to or level of benefit within one month of the date of that change.

Financial Details

We look at the income you and your partner (if you have one) have declared. You should check the **'Your weekly earned income', 'Your partner's weekly earned income'** and **'Any other income'** we have used to see that it accurately reflects your circumstances.

We take into account all cash held, money in the bank, building society savings, other saving accounts, shares and property that you own (your capital). If you are a joint signatory on an account you must declare this to us and we may write to you for further information. The capital used at the time of your claim and the **'Assumed income from capital'** (if any) is shown in the calculation to arrive at the **'Total weekly income'** shown on the benefit decision notice.

If we are able to disregard any of your income this will be shown on the Benefit Decision Notice and used to arrive at the **'Income used in calculation'**. Your earned and other income is shown separately on the Benefit Decision Notice.

Household

We take into account certain people who live with you in your household. Your household consists of you, your partner (if you have one), any dependent children and certain adults who live with you such as grown up children, relatives or friends.

People who live with you such as boarders or lodgers are not counted as your household. You should, however, declare the income you receive from them for living in your home.

You also need to declare any joint tenants living with you, however they are not treated as part of your household.

The persons you have notified us of are listed on the benefit decision notice, please notify us of any discrepancies.

Weekly rent

If you are a private tenant (i.e. you do not rent from a Housing Association or Local Authority), your rent is assessed in accordance with a Local Housing Allowance (LHA), the amount of which is determined by the Rent Service. LHA is not based on the property in which you live, it is based upon who lives with you and which area you live in. The LHA is the maximum amount you can receive but your Housing benefit entitlement may reduce depending upon your income, savings and circumstances.

If you are a housing association tenant, we do not normally have to refer your rent to the Rent Service but we can do so if we believe the rent to be too high.

Single people who are under 25 are subject to a 'single room rent' which restricts the level of weekly eligible rent.

The weekly rent we have taken into account is after we have allowed eligible charges such as communal lighting and disallowed ineligible charges such as hot water and heating for your personal use.

Applicable amount

The term 'Applicable Amount' is used by the government in the calculation of means-tested benefits to determine the minimum level of income relevant to your household. It is made up of personal allowances and premiums dependent on your situation. This is shown on your Benefit Decision Notice and Statement of Reason.

If your household income is lower or the same as your applicable amount you will qualify for maximum eligible benefit. You may also qualify for additional benefits or tax credits.

If your household income is higher than your applicable amount the amount of benefit will be reduced.

In simplistic terms this means for every £1 of income you have or are deemed to have over your applicable amount you have to contribute 65p to your rent and 20p to your council tax liability.

Whilst you are getting benefit you must tell us about any changes in your circumstances which might affect your claim such as:

- **starting work;**
- **changing employer;**
- **increases in salary;**
- **increases in household income or capital;**
- **a partner moving in or out;**
- **changes to your child care costs;**
- **maintenance received;**
- **tax credit awards;**
- **new baby;**
- **children moving in or out;**
- **ceasing to be entitled to Income Support or Jobseekers Allowance or any other benefit**.

This list is not exhaustive.

There are special rules for pensioners

If you are receiving a pension credit then changes to your income should be reported to the Pension Service. All other changes such as those relating to who is living in your household should be notified to us.

You may lose benefit if you fail to tell us of the change, in writing, within one month. To avoid delays you should provide evidence and information relating to your change in circumstances. Acting promptly will enable us to reassess your claim and help prevent unnecessary overpayments occurring.

If you think our decision is wrong

When you have checked your benefit decision notice, you may request further information about your entitlement.

You can either:

- **Ask for further explanation by visiting our Customer Services team**
- **Ask for a written statement of reason**
- **Write and ask us to look at the decision again, stating what you disagree with and providing relevant information;**
- **Appeal against the decision in writing within one month of the date of the decision***

* If you have asked for further explanation this date can be extended by the length of time it takes us to respond to your initial request.

Appeals

A decision on your appeal will be made by the Tribunal Service. The Tribunal Service is an independent agency who will look at all the facts of your case. Unless there has been an error in law, the decision of the Tribunal Service will be binding on both you and the Council.

As it can take several months for your appeal to be heard you may prefer to ask us for an explanation and to look at the decision again in the first instance before deciding if you wish to make a formal appeal.

You can also get independant help and advice from Citizens Advice Bureau.

Glossary of terms

Earned income	If you are working any earnings will be shown as a weekly income.
Any other income	All other types of income, including any partners earnings, child benefit, state pensions, tariff income from capital will be shown as a weekly income.
Your total capital	This is the total amount of capital and savings held.
Weekly eligible rent	This is the amount of rent on which benefit can be paid and can be less than the amount of rent that you actually pay due to the rate of local housing allowance which applies to your claim, rent restrictions and other ineligible charges.
Size Criteria	This refers to the number of bedrooms required by you and your household, in accordance with Housing Benefit rules.
Indicative rent level (IRL)	The amount of benefit we can pay while awaiting a decision by the Rent Officer. Until we have received the decision we calculate benefit using an average rent level for the size of property you occupy and require.
Non-dependant deductions	Non-dependants are other adults living in your home. Some of them may be expected to contribute towards your rent and council tax. A deduction from your benefit is made according to the individual's income.
Applicable amount	This is the weekly figure that the government has worked out as the minimum amount needed for day-to-day living expenses. It is dependent upon your individual circumstances.
Personal allowances	These are made up of relevant amounts for your household and form part of your applicable amount.
Ineligible charges	These are charges which cannot be met by housing benefit such as heating, lighting and hot water.
Eligible charges	These are service charges which must be paid as a condition of your rent. They usually cover charges for communal parts of buildings.