

How to get Housing Benefit backdated

When does your benefit entitlement start?

In most cases, your Housing Benefit is paid from the Monday following the date your claim form is received by the Council.

For example:

- you send your claim form in on a Tuesday.
- the Benefit Office receives the form on the Thursday.
- your benefit entitlement starts from the following Monday.

However, this does not apply to everybody. There are special rules for people claiming Income Support/Job Seekers Allowance (Income Based) and for people who have become tenants for the first time.

For more information about these rules please contact us.

Backdating – what does it mean?

It is possible to ask for your benefit to be awarded from a date earlier than the normal rules allow.

We can backdate your entitlement for up to one calendar month if you are working age and you can prove good cause.

If you are of State Pension Credit age, we can backdate up to three calendar months depending on your circumstances.

An example of backdating:

A working age customer makes a claim for Housing Benefit on 1 January and requests for their claim to be backdated to the previous 4 November.

The maximum period for which backdating may be considered is one month. So, counting back one month from the date the backdating request is made (1 January), backdating can only be considered from 1 December.

However, for us to backdate your claim, you must show that you had continuous good reasons for not making a claim at the earlier time. If there are any periods where no benefit entitlement applies during the backdated period we cannot backdate the claim.

What are good reasons?

Here are some examples of what we may accept as good reasons to backdate your claim:

- you were too ill to claim and you had no one else to help you. This may be appropriate if you have claimed after you have come out of hospital.
- you did not understand that you could make a claim because of language or communication difficulties. This may be appropriate if English is not your first language.
- you were wrongly told that you could not get benefit, for example by the Council, Benefits Agency, or an Advice Centre.
- you did not know of a recent change in the law, or your claim concerned a complicated rule, which you could not be expected to know.

However, because you did not know about Housing Benefit or you did not think you would be entitled, are not in themselves good reasons for backdating a claim. The reasons for not claiming must apply to the whole period you are requesting backdating for.

How do you get benefit backdated?

Write to us giving clear reasons why you did not make a claim earlier. It is important that you give as much information as possible so the correct decision can be made.

Any documents to help support your backdate request should also be sent to us to help us make our decision. This should include letters from a Doctor, Social Worker or Advice Agency where possible.

We will look at your request and make a decision based on the information provided. We will write to you and explain our decision and if your claim is backdated we will pay any Housing Benefit you are entitled to.

If your claim is not backdated, you have the right to dispute or appeal against our decision. See the details on Disputes and Appeals.

Additional Help?

For help with your backdating request or any other benefit advice please contact Citizens Advice Bureau. For further details go to www.citizensadvice.org.uk