

### What happens if you ask us to look at your council tax reduction decision again?

A senior member of staff who is responsible for making decisions will look at your case. Normally, this will not be the same person who made the decision about your council tax reduction claim. They will check your council tax reduction claim thoroughly and take account of any information you have given in your letter. They will consider the amount of income you have with the amount that a person needs to live on (your applicable amount). This will vary depending on individual circumstances and your dependents. We will write and tell you our decision within two months of receiving your request.

### What if you are still not satisfied with the council tax reduction decision?

If you are still not satisfied after receiving the review decision then you can ask for an independent ruling from the council tax reduction review panel who will conduct a further review. The only exception to this is if you do not receive a written response from us within two months of writing to us requesting a review. If this occurs you or your representative can request in writing an independent ruling from the council tax reduction review panel.

### What happens if you ask for an independent ruling from the council tax review panel?

The council tax reduction review panel is an independent body in addition to the Scottish Tribunals service. The panel provide an additional review service to ensure your rights to administrative justice when assessing eligibility for council tax reduction. They will consider the facts presented to them and give an independent ruling as to whether the decision made by us is correct or not. The council tax review panel will notify us when you request a further review. We will forward our decision regarding the review and the supporting documentation to the council tax reductions review panel. This might include copies of the notification of your review, responses to that notice, relevant extracts from your council tax reductions application, summary of response to your review and any other supporting documents we may have. We will also send you a copy of the documentation we are submitting to the council tax reduction review panel to at this time, prior to the hearing.

### Contacts

To ask for a further review from the council tax reduction review panel you or your representative should write to:  
Council Tax Reduction Review Panel  
Europa Building  
450 Argyll Street  
Glasgow G2 8LH

Further information, including application forms, are available via the website  
<http://counciltaxreductionreview.scotland.gov.uk/index.htm>  
or by telephoning 0141 242 0141.

Information regarding the Council Tax Reduction Review Panel including the extent of their powers is available via their website at <http://counciltaxreductionreview.scotland.gov.uk/>

### Council Welfare Rights Services

Please contact Duty Social Worker 0141 577 3003.

### East Renfrewshire Citizens Advice Bureau

East Renfrewshire Citizens Advice Bureau can provide advice and support. You can visit them at 216 Main Street, Barrhead or contact them by telephone on 0141 881 2032.

### Our other leaflets about housing benefit and council tax reduction are:

- 1 How we work out your housing benefit and council tax reduction
  - 2 The rent we use to work out your housing benefit
  - 4 Backdating housing benefit/council tax reduction
  - 5 Non-dependants
- Local Housing Allowance - A guide for tenants  
Local Housing Allowance - A guide for landlords

### Here are the ways you can get in touch with us

#### Opening hours:

We are open from Monday to Friday 8am to 6pm.

#### By letter:

Benefits Section, Corporate and Community Services Department, Barrhead Council Offices, 211 Main Street, Barrhead, East Renfrewshire G78 1SY.

#### By phone or fax:

Phone: 0141 577 3002

Fax: 0141 577 3255

#### In person:

Visit Customer Service Officers at Barrhead Council Offices, Main Street, Barrhead and at Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock, G46 6UG (no appointment necessary).

#### E-mail:

[benefits@eastrenfrewshire.gov.uk](mailto:benefits@eastrenfrewshire.gov.uk)  
(For general enquiries only.)

#### Income Maximisation:

Income Maximisation staff can carry out a free benefits health check to ensure you are receiving the correct benefits. Staff will assist you with completing forms.  
Phone: 0141 577 3071  
Email: [benefithealthcheck@eastrenfrewshire.gov.uk](mailto:benefithealthcheck@eastrenfrewshire.gov.uk)  
and quote benefits health check.

#### Money advice:

The Money Advice Team offers free, confidential, professional and practical advice on money matters. You can visit them at the Council Offices, 211 Main Street, Barrhead  
or call free on 0800 052 1023  
or email [money@eastrenfrewshire.gov.uk](mailto:money@eastrenfrewshire.gov.uk)  
or text "money and your name" to Freetext 80800

This leaflet can be provided in other languages and is available in alternative formats such as large print or Braille.  
please contact Customer First on 0141 577 3001.

इस सूचना-पत्र में उल्लेखित सूचना यदि आप हिन्दी अनुवाद में चाहें तो कृपया सम्पर्क करें।

如果您想得到该资料所含信息的译文，请联系：

ਜੇ ਤੁਸੀਂ ਇਸ ਲੀਫਲੈਟ ਵਿਚ ਦਿਤੀ ਜਾਣਕਾਰੀ ਦਾ ਅਨੁਵਾਦ ਚਾਹੁੰਦੇ ਹੋ ਇਥੇ ਸੰਪਰਕ ਕਰੋ।

اگر آپ اس لیفٹ میں درج معلومات کا ترجمہ اپنی زبان میں چاہتے ہیں تو ہم سے رابطہ کریں

# Housing Benefit and Council Tax Reduction



## What to do if you think your housing benefit/council tax reduction decision is wrong



5th edition valid from April 2015

[www.eastrenfrewshire.gov.uk/benefits](http://www.eastrenfrewshire.gov.uk/benefits)

## **Do you understand your benefit/reduction decision?**

When we have dealt with your claim for Housing Benefit and Council Tax Reduction, we will send you a letter. We will also send you a letter showing the information we have used to work out your benefit. You should check these documents carefully. If you do not understand your benefit or reduction decision, you should get in touch with us and ask us to explain it. You can get in touch by phone or by letter, or you can call in to our office.

If you write to us, we may phone you to explain your benefit/reduction decision or we may send you a 'statement of reasons'. This document gives more details about how we have worked out your benefit/reduction. If we have explained our decision to you over the phone or at our office, you can still ask us to send you a statement of reasons.

If you want to know more about your benefit/reduction decision, please get in touch with us within one month of the date on your benefit/reduction letter. If you ask us for more information after this time, we will still explain the decision to you but we may not be able to look at the decision again if you later decide that it is wrong.

## **What if you think your housing benefit decision is wrong?**

If we have explained our decision to you and you think it is wrong, you can ask us to:

- look at the decision again; or
- pass your case to an independent tribunal that is run by the Tribunals Service. (The Tribunals Service cannot deal with certain cases. Please see 'Decisions the Tribunals Service cannot look at' later in this leaflet.)

You must write and tell us why you think your benefit decision is wrong. You must also tell us whether you want us to look at the decision again or pass your case to the Tribunals Service. This is called 'disputing' the decision. We must get your letter within one calendar month of the date on your benefit decision letter. The one-month time limit does not include any time it takes us to send you a statement of reasons. For example, if the date of your benefit decision is 1 June 2014, you can dispute the decision up to 1 July 2014. But, if you ask us for a statement of reasons on 6 July 2014 and we send it to you on 10 July 2014, you would have an extra five days to dispute the decision. The time limit would end on 6 August 2014.

If you write and tell us after one month that you think your benefit decision is wrong, you must say why your letter is late. If you do not have a good reason, we will not be able to look at

the decision again and the Tribunals Service will not normally look at your case.

## **What happens if you ask us to look at the housing benefit decision again?**

A senior member of staff who is responsible for making decisions will look at your case. Normally, this will not be the same person who made the decision about your benefit claim.

They will check your benefit claim thoroughly and take account of any information you have given in your letter.

This is called 'reconsidering' the decision. They could then:

- decide not to change the decision;
- change the decision and pay you more benefit; or
- change the decision and pay you less benefit.

We will write and tell you what has happened, normally within 14 days of receiving your letter. If the senior member of staff has decided not to change the decision, we will tell you why.

## **What if you are still not satisfied with your benefit decision?**

If we have not changed the decision or if we have decided to pay you less benefit, you can write and ask us to pass your case to the Tribunals Service.

If we have decided to pay you more benefit but you are still not happy with our decision, you can write and ask us to look at your case again. Or, you can ask us to pass your case to the Tribunals Service.

We must get your letter within one month of the date on the letter you get from us. Your letter must say why you are still not satisfied. If we have decided to pay you more benefit, you must also say whether you want us to look at your case again or pass your case to the Tribunals Service.

## **What happens if you ask us to pass your housing benefit case to the Tribunals Service?**

The law says we must look at our decision again before we pass your case to the Tribunals Service. So, if we haven't looked at your case before, we will look at it now. The Tribunals Service can take up to 14 weeks to hear your appeal. So, if we can change the decision without having to send your case to the Tribunals Service, we will. If we decide to pay you more benefit, your appeal will stop. If we have looked at the decision before and you have not told us anything new about your claim, we will prepare your case and send it to the Tribunals Service. We will also send your case to the Tribunals Service if we look at the decision again but decide not

to change it. If we change the decision and pay you less benefit, we will write and tell you but we will not send your case to the Tribunals Service for another month. This is because, by law, we have to give you time to decide if you want to stop your appeal.

We will send you a copy of the papers we send to the Tribunals Service. These papers will have all the details about your benefit decision, including the rules we used to make the decision. We will also send you a TAS1 form. This form asks how you want the Tribunals Service to deal with your appeal. For example, it asks if you want to go to the hearing or if you want the Tribunals Service to decide your case by just looking at your papers. If you choose to go to the hearing, you will be able to answer any questions that come up. You must fill in the TAS1 form and send it to the Tribunals Service within 14 days of the date on the form. If you don't, your appeal will stop.

## **What happens at the hearing?**

The Tribunals Service will decide your appeal at a tribunal hearing. The tribunal is made up of people who are experts on the subject of your appeal. One of the tribunal members will be legally qualified to help apply the law to your case.

No one from the council will sit on the tribunal.

If you choose to go to the hearing, the Tribunals Service will write and tell you where and when it will take place.

(Hearings normally take place in offices in Glasgow city centre.)

If you want, you can take someone with you to represent you, such as a member of an advice service. You can also bring any witnesses if they are important to your case.

The members of the tribunal may ask you questions about your case and you can ask them questions. Normally, one of our officers will also be at the hearing and they can ask you and the tribunal questions, and call any witnesses.

The Tribunals Service may pay some of your expenses for going to the hearing, for example, travel costs.

If you choose not to go to the hearing, the tribunal will look at your case papers, including any information you have given them, to decide your appeal. One of our officers may still go to the hearing to explain our decision and answer any questions that come up.

The tribunal have to follow the Government's rules on Housing Benefit when they make their decision. The Tribunals Service will write and tell you the tribunal's decision as soon as possible after the hearing.

They will also write and tell us the tribunal's decision. If the tribunal changes our decision, we will pay you any extra Housing Benefit and Council Tax Benefit as soon as we can.

## **Decisions the Tribunals Service cannot look at**

There are some decisions that the Tribunals Service cannot look at. For example, if we decide not to pay you any extra Housing Benefit because you are suffering hardship, you cannot ask us to pass your case to the Tribunals Service. But you can still ask us to look at the decision again.

## **Information for appointees and landlords**

You may have chosen someone to act for you if you are elderly or disabled. We call that person an appointee. If you have an appointee, that person can ask us for a statement of reasons for you. They can also ask us to look at your benefit decision again or to pass your case to the Tribunals Service.

Landlords can also ask us to look at certain decisions again, for example, if we have asked them to pay back Housing Benefit. Landlords can also ask for the Tribunals Service to look at these decisions.

## **More help and advice**

If you need any more help or advice about your rights, please get in touch with us at the address shown on the back page.

Advice centres, like the Citizens Advice Bureau and law centres, can represent you and help you understand the reasons for decisions about Housing Benefit. They can also help you to fill in forms or to write a letter. They will sometimes go with you to the tribunal that hears your appeal.

It will help the advice centre if you show them any letters you have about the decision that you think is wrong. Trade unions may also offer free advice to their members. They may also be able to speak for you at the tribunal that hears your appeal.

You can find addresses for these organisations in the business section of the phone book, the Thomson Local Directory, the Yellow Pages or at a library.

## **What if you think your council tax reduction decision is wrong?**

If we have explained our decision to you and you think it is wrong, you can ask us to look at the decision again. This must be done in writing. We must get your letter within two months of the date on your original council tax reduction letter. If you still think the decision is wrong, you can appeal the decision.

You must state the reasons why you think the decision is wrong. We must get your letter within two calendar months of the date of your council tax reduction decision letter.