

Benefits Team

Housing Benefit and Council Tax Benefit

Service Standards



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High Peak Borough Council

www.highpeak.gov.uk

High Peak Borough Council

Contents

- 1. Backdating Standard**
- 2. Customer Care Standard**
- 3. Discretionary Housing Payments Standard**
- 4. Fraud Standard**
- 5. Overpayments Standard**
- 6. Payments Standard**
- 7. HB & CTB Scheme modifications Standard**
- 8. Quality Control Standard**
- 9. Take Up Standard**
- 10. Verification Standard**

High Peak Borough Council

Backdating Standard

If you are entitled to Housing and/or Council Tax Benefit any amount will normally only be awarded from the Monday after we receive your claim.

However, if you can show that you had continuous good cause for any delay in making your claim we maybe able to backdate any potential benefit entitlement to an earlier date.

A good cause is a reason that stopped you from making a claim for benefit earlier.

Each request for backdating will be considered on its own merits therefore we cannot provide a full list of what is and what is not good cause.

The following are examples of what we would consider to be good cause for backdating your benefit claim:-

- the death of a close relative
- you or a member of your household was in hospital, seriously ill, under stress
- under emotional pressure which led to a delay in you making your claim
- you were given wrong or misleading information from an official person (e.g Council Officer, Department for Work and Pensions Officer or advice agency)
- you have problems communicating or understanding and there is no one to help you

The following are examples of when we would not normally consider that you have shown good cause:-

- having arrears of Council Tax or Rent and you need Benefit to pay them
- mislaying or forgetting to post the application form
- not claiming because you thought you would not qualify

If, when making the request for backdating you do not provide enough information for us to consider your request we will contact you to request any information that we require to make a decision.

High Peak Borough Council

Customer Care Standard

This is the standard of service you can expect from the Benefits team.

Our aim is to encourage claims from all who can qualify and to make the process quick and easy.

We will...

- set and maintain high standards
- tell you what those standards are
- provide a friendly, professional service
- pay Benefit promptly and accurately
- listen to any complaints you may have
- put any problems right – quickly

On a personal level, we will...

- be welcoming, polite and helpful
- avoid using jargon
- only ask for relevant information and explain why it is needed
- say what we can and can't do so that you know what to expect from us and, where we can't help, try to find out who can
- respect the right to confidentiality, privacy and safety
- not discriminate against anyone because of race, sex, marital status, age, disability, sexuality or religion
- arrange interpretation, translation or signing when requested
- ask for your views
- treat you with respect
- try our best to do a good job

Caller facilities

We will be open for at least 7 hours 30 minutes on weekdays. The reception area will be well sign posted, clean, and tidy with provision made for children. We will see you within 10 minutes and even quicker outside lunchtime. You can have a private interview. You can make an appointment for a specific time, if more convenient. We will help you complete your claim form. There will be leaflets to help with the more complicated areas. We will offer advice about other Benefits.

Letters, faxes and emails

We will respond to your enquiries within 5 working days, with an acknowledgement for complex issues, and a full reply within 3 weeks. We will use language that is easy to read and understand and clearly explain technical terms.

Telephones

Our target is to answer calls within 15 seconds. We will clearly state who we are and give a name if asked. We will respond to answer phone messages by the end of the next working day. Your call to the Council will only be transferred once. You will be offered a return call rather than being transferred twice.

Accessibility

We offer 24 hour web access and our email address is benefits@highpeak.gov.uk. Our reception area has been adapted for all access needs. Our letters and leaflets may be produced in large print, translated or produced in another format on request.

Visits to customer's homes

We will visit those customers who are unable to leave their homes. We will make an appointment if asked and keep to it, and telephone if delayed. We will explain our reasons for visiting if the visit is unsolicited. On arrival, we will show an identification card.

Putting things right

We recognise that things sometimes go wrong and we have procedures to deal with complaints. You will be asked to put any complaint in writing so that we can keep a record of what has happened and try to ensure that it does not happen again. If you are unhappy with your Benefit award you have a right of appeal to an independent tribunal. We have a leaflet which explains the process in detail. The Local Government Ombudsman will review the administration of your claim, on request, if you think we have handle things badly.

Our expectations of customers

We expect our staff to be treated with courtesy and politeness by our customers. We will support staff who experience discrimination, abuse or threats.

High Peak Borough Council

Discretionary Housing Payments Standard

With effect from 2 July 2001 awards of additional benefit under the Exceptional Hardship and Exceptional Circumstances Schemes will no longer be payable, both schemes are being replaced by Discretionary Housing Payments (DHP's).

DHP's are not payments of Benefit and can be paid outside of the scheme, although they are only payable where Housing or Council Tax Benefit are payable and a shortfall has been identified. Payments do not have to be paid by the benefit department and each local Authority may have software within the Benefits IT system that allows for payment of DHP's with payments of Housing Benefit, though these awards should be identified separately.

Where the customer disagrees with a decision to not make a payment or with the amount or period of an award the Authority must have an officer and a procedure in place for dealing with these disputes as they are not dealt with by the Appeals Service.

Promoting the Scheme

Payments of DHP's are funded in part by the Department for Work and Pensions and any part of their allocation not spent has to be returned to Central Government. Therefore there is a need to promote the scheme to ensure that the available funding is used within the local community.

Leaflets and posters advertising the scheme should be available in Council offices in order to maximise take up of the scheme and any award notice where there is a shortfall in entitlement to Housing or Council Tax Benefit should include details of the scheme, either as an amendment to the award notice or as a leaflet.

Training and advertising of the scheme will have to be provided for staff, landlords etc. as how the scheme is administered is down to each individual Authority.

How will claims be made

A protocol for accepting a claim on an agreed application form, for determining and recording payments must be established, with a written working procedure and a need to identify targets and setting time limits in making a decision, to reduce the risk of financial hardship.

Each Authority will make a decision whether to pay an award within 7 days of receiving a claim form and any supporting documents concerning expenditure etc.

Each Authority will consider the need for a re-determination, where the shortfall of Housing Benefit is caused by a Rent Service Determination.

A separate notification letter will be required and will have to advise the customer of the need to keep us informed of any changes that may affect the DHP award.

Once an award has been put in place the file will need to be marked so that any changes of circumstances will mean the award can be reviewed.

Each Authority should where appropriate advise the customer of the availability of financial and debt management as well as independent housing advice through agencies such as Citizens Advice Bureau and Derbyshire Housing Aid.

A list of Housing Associations who have property in the area should be available for customers to enable them to identify more affordable housing.

High Peak Borough Council

Fraud Standard

The prevention and detection of benefit fraud is an important part of the work we do.

We are fully committed to taking all reasonable steps to make sure that benefit is only paid when it is due.

We will...

- Aim to make sure that people who commit benefit fraud are identified and prevented from carrying out their criminal activities
- Implement formal cautions and administrative penalties or prosecute offenders where there is sufficient evidence and the circumstances are justified
- Make sure that every effort is made to recover benefit overpaid due to fraudulent activity
- Encourage the public and staff to report suspected fraud
- Follow up all reports of suspected fraud
- Make sure we have the resources to carry out investigations including pro-active enquiries
- Train our staff to nationally accredited standards
- Appoint trained Authorised Officers who will have the powers of entry and inspection of business premises
- Develop an anti-fraud culture among staff and the public
- Work in partnership with the Department for Work and Pensions, the Police and other recognised organisations
- Participate in national data matching exercises
- Use the Royal Mail 'do not re-direct' scheme so that important benefit payments cannot be re-directed
- Continue to adapt our policies and working practices in line with developing government legislation

What we need

Benefit fraud is the unacceptable face of housing benefit and council tax benefit that we are working hard to reduce. To help us do this we need you to report anyone who you suspect may be getting benefit that they are not entitled to.

High Peak Borough Council

Overpayment Standard

This is the standard of service you can expect from the Benefits team.

There is little discretion for Councils not to collect overpayments. As most overpayments cost the Council money it is important, having considered the circumstances that the overpayment occurred and any personal circumstances that the Council does seek to recover most, if not all the overpayments.

We will.....

Identify the cause of the overpayment, before deciding on any recovery action to be taken, overpayments are usually caused by one of the following-

- DWP Error , such cases are rare and not normally recoverable
- Claimant Error, non fraudulent error, non disclosure of information. There must be no intent on the part of the claimant to obtain benefit by deliberately doing or not doing an act, such overpayments are usually recoverable.
- Local Authority Error, this is where the council has failed to act upon information received causing an overpayment to arise, these overpayments may be recoverable.
- Fraud, each of these cases should be treated on an individual basis and dealt with by trained and dedicated members of staff. These overpayments are recoverable

Recovery will then be sought in one of five ways. They are

- The issuing of an invoice requiring payment
- By deduction from ongoing entitlement to benefit
- By addition to Council Tax accounts
- By deduction from other Social Security Benefits paying attention to DWP debt management guidelines.
- By recovery from ongoing benefit entitlement within another Local Authority.

We will assist in the arrangements for repayment of any overpayments by one of the following methods :-

- Repayment Card
- Swipe Card
- Standing order
- Reduction in current benefit entitlement.

Private and Council tenants may elect to repay their overpaid Housing benefit by instalments.

Where an overpayment cannot be recovered it is recommended for write off under the provisions of the Council Recovery Procedures

High Peak Borough Council

Payment Standard

Payment of Housing Benefit

Council Tenants will have any rent rebate credited to their rent account, leaving the tenant with a net amount to pay.

Tenants who pay rent to a private landlord or housing association following any 'payment on account', or first payment the authority may choose to have any payments made by a crossed account payee only cheque to them or direct to their landlord (where the tenants authority has been given). In exceptional circumstances the landlord can be paid directly. Payments can also be made electronically via BACs to either the tenant or landlord.

Regulation 91 of the Housing Benefit (General) Regulations imposes a duty on the Council to make a payment on account within 14 days of receipt of a claim for a Rent Allowance. This applies unless the inability to make a final determination is due to the claimant unreasonably failing to furnish information as requested.

The Council can make the payment of any amount, having regard to what information it does have, any subsequent under/overpayment being recovered by adjusting future payments.

Local Authority Policy on Payment on account

Pending Rent Allowance cases will be identified and the following cases will be passed for an interim payment:

- awaiting Rent Officer figures only
- the claimant shows 'good reason' for not supplying the information
- information required is for non-dependants income only (claim can be assessed using the maximum non-dependent deduction)
- awaiting information from the Pension Service, Job Centre Plus Office, DWP and Inland Revenue (but customers are able to provide confirmation of Jobseeker's Allowance, Income Support entitlement).

The payment of any rent allowances are made at intervals of two or four weeks. If the entitlement per week is greater than £2 the Local Authority could be

required to pay weekly. With the consent of the person entitled to payment, payment can be made at intervals of greater than one month.

Normally payments of Housing Benefit are made in arrears, with certain exceptions for tenants in receipt of Housing Benefit at and continuously for the same dwelling from the 7 October 1996.

Council Tax Benefit is credited to the recipients Council Tax account, leaving the taxpayer with a net amount to pay.

High Peak Borough Council

Housing and Council Tax Benefits Scheme modifications Standard

War Disablement Pension or War Widows or Widower's Pension

The Housing Benefit (General) Regulations 1987 and Council Tax Benefit (General) Regulations 1992 allow the disregard of £10.00 per week of the income of these pensions, up to maximum of £20.00 for the whole family where two or more members of the family receive the pensions along with other qualifying income. Any amount for attendance or mobility, or for dependants who are not a member of the family are already disregarded.

The Social Security Administration Act 1992 enables the Authority to modify the HB and CTB scheme by resolution, allowing a disregard of the whole or part of any War Disablement or Widow's Pension in calculating a customer's entitlement to Housing, Council Tax Benefit or Second Adult Rebate.

Where the Authority agrees by resolution that in applying a "local scheme" they will disregard the whole of the remainder of the pension they must pass a resolution modifying the Housing Benefit scheme as well as the Council Tax Benefit Scheme.

The decision to apply a "local scheme" can be revoked at any time and the decision to apply should be reviewed annually and approved, where appropriate when members report on the financial implications of the scheme. Payments made under a local scheme are not eligible for subsidy and part of the cost of the scheme is subject to a permitted total.

The disregard of the income under the "local scheme" should be advertised as part of a programme of benefit take up.

Exceptional Circumstances

The Housing Benefit and Council Tax Benefit guidance manual makes reference to an Authority's discretion to increase benefit in individual exceptional circumstances. Most Authorities will be using the Discretionary Housing Payments scheme to make payments to help with housing costs where there is a shortfall of Housing Benefit or Council Tax Benefit.

However payments of Benefit under the Exceptional Circumstances provision should not:-

Increase the level of Housing Benefit above the customer's eligible rent.

Second Adult Rebate is not eligible for an additional award under the Discretionary Housing Payments Scheme.

Where an Authority uses its discretion to award additional benefit or it receives no subsidy on the additional amount paid and should record separately awards made under this provision.

Additional Awards - Housing Benefit on two homes

Where a customer claims Housing Benefit on one home to cover a period of notice and is claiming Housing Benefit on the property to which they are moving and have moved in to, the Authority may pay a maximum of 4 weeks benefit on both properties.

The Authority will need to consider whether the overlap of tenancies and rent liability could be avoided.

High Peak Borough Council

Quality Control Standard

This is the standard of service that should be expected from the Benefits Section

The statutory benefit schemes that the Benefits Section operates include complex regulations that require regular and thorough quality control checking of benefit claim processing. Certain checks are required at regular intervals to ensure that work completion is consistent, accurate and reliable.

Checking regimes include:

- Management checks providing assurance concerning the integrity and security of benefit processes, practices and procedures
- Quality of work completed by teams and individual Benefit Officers
- The training and development needs of staff
- Identifying weakness within existing performance and targets for the future

The Benefits Section will:

- Check the quality and authenticity of evidence and proofs provided by claimants in support of their benefit claims
- Check at least 4% of all completed claims as a means to identify errors committed by members of staff
- Check the work completed by new or inexperienced members of staff
- Check that complicated or complex cases have been processed correctly in accordance with the rules and the facts of the case concerned
- Complete additional checks where it is considered necessary

In all cases complete and clear records will be maintained as the basis to correct current performances and to plan and prepare for the future of the service.

These standards are vital in confirming whether the decisions made by the Benefits Section in respect of benefit entitlements lead to the right money being paid at the right time to the correct person. This is also vital if the Council is to operate the statutory schemes correctly to the satisfaction of auditors.

High Peak Borough Council

Benefits Take Up Standard

Local authorities administer Housing Benefit and Council Tax Benefit on behalf of the Government. They are means tested benefits, which may be claimed by anyone in the community who has a liability to pay rent and Council Tax.

A key objective of the Benefits team is to make rent and tax payers, and other stakeholders such as landlords, aware of the schemes. We do this in partnership with other government agencies and voluntary organisations active in the community.

We strive to remove any barriers to claiming benefit that we are able to identify by:-

- encouraging our staff to be helpful and friendly
- visiting people in their own homes on request
- training all relevant staff to recognise potential claims
- helping with claim forms and evidence gathering
- having an accessible enquiry point in a central location
- talking to community groups
- offering information and publicity material by many means and in various formats
- awarding benefit quickly and making the process as easy as we can

We recognise that every Council Tax payer and council tenant is a potential claimant and we regularly include benefit information when we communicate with them. We work with landlords to promote the Housing Benefit scheme at the start of tenancies, encouraging tenants of private sector landlords to get a pre-tenancy determination as an indication of potential entitlement.

We use the information we have about our customers to actively encourage claims for other existing or new benefits.

High Peak Borough Council

Verification Standard

This is the standard of service that should be expected from the Benefits Section.

The purpose of the verification of information supplied by claimants or their representatives is to ensure that all entitlements to benefit are calculated correctly and that decisions reached are accurate and lawful. Verification is the process by which the Benefits Section asks for confirmation concerning the claimant's circumstances. Evidence and information is collected to verify that claimants entitlement. The onus is on the claimant to comply with all reasonable requests for proof and evidence made by the Benefits Section.

The Benefits Section works to standards set by Government in that only original documents will be accepted as evidence in support of a benefit claim. Evidence is required for most aspects of the claim and include:

- Verification of identity and ownership of a National Insurance Number for the claimant and any partner
- Verification of residency and liability to pay rent
- Verification of receipt of Income Support or Income Based Job Seekers Allowance
- Verification of earnings from employed earner or self employment work
- Verification of income for benefits, pensions and allowances
- Verification of capital (over £6,000.00) and investments
- Verification of a non-dependant's circumstances

The verification of all parts of the benefits claim is an essential part of ensuring that there is a secure gateway to the claiming of benefit. The type and amount of proof or evidence requested from the claimant will largely depend on the claimant's individual circumstances. The claimant may be asked to provide the same proof every time a new or repeat claim is made with the Benefits Section. This enables the Benefits Section to cross check the information that has been collected.

The proof and evidence will then be held securely on the claimant's benefit file and all records will be maintained in accordance with the requirements of data protection legislation.

The Benefit Section employs a Verification Officer to visit claimants in their own home to check information and to answer questions concerning the claim, process. Proofs may also be handed in at a number of offices within the area.

Occasionally, the claimant's circumstances may mean that they are unable to provide the verification that is required. The reasons for this will be recorded on the benefit claim with a decision being made concerning the outcome.

The Benefits Section has up-to-date policies and procedures for the accurate verification of benefit claims. These policies and procedures are reviewed at regular intervals to ensure accuracy and compliance with Government rules. The policies and procedures are included in training for all members of staff with each member of staff having their own copy. The Benefit Section's policies and procedures also form the basis of the Council's approach to the detection and prevention of benefit fraud.