



# Your guide to *Backdating Benefit*





- ➔ If you would like to receive this information in another language or in another format such as large print, in Braille or on audio tape, please phone our Benefit Section on 01472 323720.

**We can also arrange for a translation service.**

**Please phone our Benefit Section on 01472 323720.**

- ➔ **What if I want to comment on your service?**

You should get in touch with us.

We would like to know what you think about this booklet and about the service we provide to you.

You will find our contact details on the back of this booklet.

# Backdating Benefit

## ➔ When can you pay my benefit from?

If you qualify for Housing Benefit or Council Tax Benefit (or both), we usually pay it from the Monday after we get your claim form.

Sometimes we can pay benefit before the date you claim. This is called backdating your claim.

The law says that we can backdate a claim for up to three months if you are aged 60 or over, as long as you qualify for benefit for the whole of that time.

If you are aged under 60, the law says we can consider backdating for up to six months, as long as you qualify for benefit for the whole of that time.

However, there has to be a good reason why your claim is late. This is known as 'good cause'. Good cause

must be continuous for the period you want benefit backdated for.

## ➔ What do you mean by good cause ?

Good cause is something that would probably cause a reasonable person to act in a certain way. We expect you to take reasonable steps to make sure you understand what your rights are, but we do not always expect you to understand public systems and paperwork. Here are examples of things that we may consider 'good cause', but this is not a full list.

- If you are ill and have no one to make the claim for you.
- If we could not have expected you to know your rights, for example, if the law has changed.

- If you did not understand that you could claim because:
  - of your age;
  - you are not used to making claims;
  - you have language difficulties;
  - you find it difficult to understand technical documents; or
  - of some other reason.
- If an official organisation wrongly told you that you were not entitled to Housing Benefit or Council Tax Benefit (or both).
- If you were not able to manage your affairs and you did not have an appointee or someone to help you. (An appointee is someone who you choose to act on your behalf.)

Examples of when we may backdate your benefit

- You were ill from January to March, and only claimed benefit in March

when you were better.

- You hadn't been able to claim before March because you had no one to act for you.

In these cases, we would consider backdating your benefit to January, depending how severe your illness was.

Examples of when we cannot backdate your benefit

- If you were ill from January to March and had no one to act for you, but you did not claim until May, we would not be able to backdate your claim to January.

We would only pay your benefit from May because good cause did not continue from January to May.

### ➔ **What should I do if I think I have good cause for my late claim?**

If you think you have 'good cause' for making a late

claim, you should:

- make sure you fill in a claim form for the period you are claiming for and give us proof of your income as soon as possible; and
- send us the claim form and a letter asking us to backdate your claim.

You need to tell us the period you want your benefit backdated for, and give us full details of why your claim is late.

We will then consider whether we can backdate your benefit.

### ➔ **What happens next?**

We will decide whether your reasons are good enough to backdate your benefit. We will try to write to you within two weeks and tell you our decision. If we decide not to backdate your benefit, we will tell you why.

### ➔ **Can I appeal?**

We may feel your reasons are not good enough to backdate your benefit. If you do not agree with our decision, you can ask us to look at it again or you can appeal against it.

You must write to us within one month of getting our decision. Your letter should say why you are not satisfied. Our booklet 'Benefit Appeals' gives you more information about the appeals process.

### ➔ **I am still not sure what to do**

If you need any help or more advice about backdating, please get in touch with us. Our contact details are on the back of this booklet. You should continue to pay your Council Tax or rent while we are considering backdating your claim.

➔ **Other useful booklets**

The following booklets about Housing Benefit and Council Tax Benefit are available from our Benefit Section.

- 1** How we work out your benefit
- 2** A Guide to Housing and Council Tax Benefit
- 3** Your guide to Non-dependant deductions
- 4** Your guide to Backdating Benefit
- 5** Housing Benefit – Information for Landlords
- 6** Get your benefit off to a flying start
- 7** Benefit Appeals
- 8** Money Worries? How to cope and manage a budget
- 9** Vulnerability – A guide for claimants
- 10** Discretionary Housing Payments

**11** Free School Meals

**12** A guide to paying your rent and basic bank accounts

➔ The following booklets about Council Tax are also available from our Benefit Section.

- 1** Council Tax Explained
- 2** Council Tax Discounts and Exemptions

- ➔ Here is a list of libraries where you can hand in claim forms and proof we ask for.

Please remember you cannot get advice about benefits from these libraries.

**Grimsby Central Library,**  
Town Hall Square, Grimsby

**Cleethorpes Library,**  
Alexandra Road,  
Cleethorpes

**Nunsthorpe Library,**  
Sutcliffe Avenue, Grimsby

**Willows Library,**  
Binbrook Way, Grimsby

**Laceby Library,**  
Cooper Lane, Laceby

**Humberston Library,**  
Church Lane, Humberston

**Grant Thorold Library,**  
Durban Road, Grimsby

**Scartha Learning Centre  
& Library,** St. Giles Avenue,  
Grimsby

**Immingham Library,**  
Pelham Road, Immingham

**Waltham Library,**  
High Street, Waltham



## How to get in touch with us

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

### By letter:

Housing Benefits Section  
North East Lincolnshire Council  
Finance Department  
FREEPOST NEA103666  
Cleethorpes DN35 8BR

**By phone:** 01472 323710  
01472 323830  
01472 323720

Our staff are available to answer calls Monday to Friday from 8.30am to 5.30pm.

**Fax:** 01472 323800

**Website:** [www.nelincs.gov.uk](http://www.nelincs.gov.uk)

**Email:** [benefits@nelincs.gov.uk](mailto:benefits@nelincs.gov.uk)

**In person:** You can call at any of our Customer Access Points. You can find them at the following locations.

- Municipal Offices, Town Hall Square, Grimsby (open Monday to Friday from 9am to 5pm)
- Civic Offices, Knoll Street, Cleethorpes (open Monday to Friday from 9am to 5pm)
- Kennedy Way, Immingham (open Monday and Friday from 9am to 4pm and Wednesday from 10am to 2pm)

