

Getting the Benefit

A Guide to Council Tax Rebate

April 2009



West Lothian
Council

Your local Council Information Service Centres

Armadale 1/3 East Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm	Blackburn Connected The Mill Centre Mon 9.00am – 5.00pm Tues 9.00am – 7.00pm Wed 9.00am – 3.00pm Thurs 9.00am – 7.00pm Fri 9.00am – 5.00pm Sat 9.30am – 12.30pm
Broxburn Strathbrock Partnership Centre 189a West Main Street Mon, Tues 8.30am – 5.00pm Wed, Thurs 8.30am – 5.00pm Fri 8.30am – 4.00pm	Bathgate Lindsay House, South Bridge Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm
Fauldhouse 10 Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm closes for lunch 12.30-1.30pm	Linlithgow County Buildings Mon, Tues 8.30am – 5.00pm Wed, Thurs 8.30am – 5.00pm Fri 8.30am – 4.00pm
Carmondean Connected Carmondean Centre, Deans Mon, Fri 9.30am – 6.00pm Tues, Thurs 9.30am – 8.00pm Wed 10.00am – 6.00pm Sat 9.30am – 1.00pm	West Lothian Connected Almondvale Centre - Livingston Mon, Tues, Thurs 8.30am – 5.00pm Wed 10.00am – 5.00pm Fri 8.30am – 4.00pm Sat 9.30 am – 2.30pm
West Calder 24-26 Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 10.30am – 5.00pm Fri 8.30am – 4.00pm	Whitburn 5 East Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm

**For further advice you can telephone our
Customer Service Advisors on 01506 776800**

For people who are deaf or hard of hearing we have a Textphone facility which is:

Textphone to Textphone **018001 01506 464427**
 Standard Phone to Textphone **018002 01506 464427**

In addition, West Lothian Councils Advice Shop provides advice on all aspects of state benefits. Advice Surgeries operate throughout West Lothian.

For further details of times and venues call the **Advice Line** on **01506 776 444**

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If you need to make a new claim for Income Support or Job Seekers Allowance or the new Employment and Support Allowance you will be making use of the Job Centre Plus service. That Service allows you to make your claim for those benefits over the phone.

In the same phone call you can also claim Council Tax Rebate and Housing Benefit. Job Centre Plus will gather information and evidence for your Council Tax Rebate and Housing Benefit claim and will send this direct to the council's benefit team. They will also tell you what evidence you will need to give the council in support of your claim.

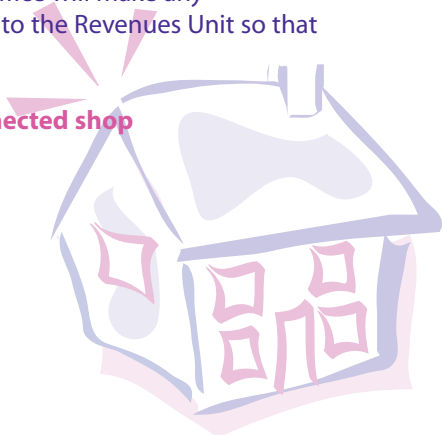
If you need to fill out a form for Council Tax Rebate or Housing Benefit, they will send one out to you at the end of your phone call. You return this form to the council.

Job Centre Plus is based at Whitburn Road in Bathgate, the phone number for this service is: **0800 055 6688**

If you are not using the JobCentre Plus service, you can make a claim for council tax benefit or housing benefit to the council. If you do need to make a new application for Benefit - **you can go along to your local Council Information Services Centre.**

The staff there will be able to offer help with your benefit application if needed. They will also be able to check your original documents (like payslips, benefit award letters, pension slip etc.) and give them back to you straight away. The staff in your local office will make any photocopies if needed and forward them to the Revenues Unit so that your benefit can be worked out.

You can also use the West Lothian Connected shop in the Almondvale Centre, Livingston.



Getting the benefit

In this booklet we explain how we work out your Council Tax Rebate and tell you about the things that can affect how much help you get with your Council Tax bill.

Council Tax Rebate does not cover water and sewerage charges. So, even if you get full Council Tax Rebate, you will still have to pay that part of your Council Tax Bill yourself.

This booklet gives general information and examples only. It is not a complete statement of the law. If you need further help and advice your local council office can help you or you can phone our Customer Contact Centre on **(01506) 776 800 or 775 000** or you can write to:

The Benefits Team

West Lothian Council
Revenues Unit
St David House
South Bridge Street
Bathgate
EH48 1TT

Getting the benefit - *Getting it right*

Each time you complete a form for Council Tax Rebate we will ask you to provide detailed information and original documents.

Why? To meet the government standard designed to ensure that you are getting the correct Council Tax Rebate or Housing Benefit.

The Council will need to see proof of your identity, proof of all of your income, your savings and your National Insurance Number.

**Failure to provide the necessary documents
will delay your claim
Only *Original* documents can be accepted.**

These are the types of documents we will need to see:

- Bank statements (all accounts)
- Wage Slips
- Self employed accounts
- Savings
- Investments or shares
- Private Pensions
- Pension Credits award letter
- State Benefits
- Non dependant income or earnings
- Working Tax Credit award letter
- Child Tax Credit award letter
- Maintenance Payments
- Details of any property owned

The Council must complete all the necessary checks before any Council Tax Rebate or Housing Benefit can be worked out.

Give us your completed form as soon as you can, even if you are waiting for any items of proof. If you delay sending in your form this may affect the start date of your benefit claim. If you are handing the form into your local office, please take along any evidence to support your claim. Your local office will take photocopies and give you back your original documents.

Getting the benefit - *Keeping it right*

Changes in your circumstances

If your circumstances change in any way, you **must** tell the Benefits Team of the Council straight away.

Why? Your benefit award has been worked out on the information you gave us on your last claim form. If your circumstances have changed since then, your benefit award might be wrong. Some changes will mean you get more Council Tax Rebate and some changes mean you will get less Council Tax Rebate, but it is always in your interests to tell us of any changes right away - otherwise we may have to claim money back from you later.

Some of the main changes you need to tell us about are:

Changes in your household such as:

- Someone leaves your home
- Someone moves into your home
- Family members stop living with you
- Your family increases
- A child leaves school, or college
- Someone in the house starts work, or stops work
- Someone in the house stops or starts to get Jobseekers Allowance
- You stop, or start, caring for a disabled person
- You or your partner go into hospital



Changes in income and savings such as:

- The amount of your earnings goes up or down
- The amount of overtime changes
- The amount of Tax Credit you get goes up or down
- The amount or type of benefit you get changes
- You start getting a private pension
- The amount of your savings goes up or down
- Any other income that you have changes



You also need to tell us about any changes in the income of your partner, and any other people who live in your household

Changes in where you live such as:

- Your rent goes up or down – if you are a tenant of a private landlord
- Your tenancy agreement changes
- You move address



Other changes which you should tell us about include:

- You or your partner leave the country
- You are likely to be away from your house for more than 13 weeks
- You have a student child who normally studies away from home and they return home during the holiday period



This list tells you about some of the main changes that you need to tell us about, but it doesn't include everything.

If you have a change of circumstances and are unsure about whether you need to tell us – Tell us anyway and we will be able to put your mind at rest.

Remember to tell us about any changes, even if you have already told someone else such as the Jobcentre or another Council department.

Tell us what the change is and when it happened. We will then make sure you get the right benefit.

We will need to see proof of any changes, especially if it means you are going to get more benefit. You can bring the details into your local office and the staff there can take photocopies free of charge and give your original documents back to you right away.

They can also help by writing down any changes and asking you to sign it. Then we can get your benefit right.

You can also telephone us on 01506 776 800 to tell us about changes in your circumstances and we can advise you.

Getting the benefit - *Making sure it's right*

What happens if I don't tell you about changes?

- If you don't tell us, we're likely to go on paying the same rate of benefit as before and this may be wrong.
- We may need to change the amount we pay you, or stop your benefit completely because of a change.
- If you don't tell us, or are slow to tell us, we may have paid too much. We will expect you to pay it back, and we may take it out of the benefit we're still paying you.

If my Income Support or income-based Jobseeker's Allowance stops because I've started work, what happens with my Housing Benefit and Council Tax Benefit?

- We may be able to pay you Housing Benefit and Council Tax Benefit at the same rate for up to four weeks after you start work.
- Tell your Jobcentre Plus office as soon as possible, and don't forget to tell us too. The sooner you tell us, the sooner we can check if you're still entitled to Housing Benefit and Council Tax Benefit.

Do I need to tell anyone else about my changes?

- Yes you do.
- If you get Income Support, Jobseeker's Allowance or any other social security benefit, you need to tell Jobcentre Plus straight away about your change.
- If you have moved, we always check if you are getting these benefits at your new address. If Jobcentre Plus doesn't know that you've moved, it might hold up your claim with us.

Getting rid of Fraud and error:

Like all local authorities, West Lothian Council has a duty to stop fraud and error in the Housing Benefit and Council Tax benefit schemes. Fraud and error costs every Council money, and it is the vast majority of honest claimants and Council taxpayers who are left to pick up the bill.

To stop fraud and error getting into the system in the first place we must ask everyone for proof of their details when they make a new claim and when we review their claim.

We will contact you from time to time to review your claim.

To keep fraud and error out of the system, the Council has a Benefit Investigation Team. This team also works closely with the Benefits Agency to find and stamp out fraud. The Council has a prosecution policy for fraud cases.

If you know or suspect that benefit fraud is taking place you can telephone the council's Fraud hotline between 8.00 a.m. and 6.00 p.m. on Freephone 0800 328 6340

What to do if you think there is a mistake in your benefit

- You can **phone** us and we will explain how we have worked out your benefit. The number is **01506 776 800**.
- You can **write** to us asking for a written statement of the reasons for our decision. You must sign this letter.
- You can write to us asking us to look at the decision again. You must do this within one month of receiving your benefit award letter. We will then look at it again. After we have looked at it again we will write to you letting you know if we can change it or not.
- You can write to us appealing against the decision. You must do this within one month of receiving your benefit award letter. You must sign your appeal letter and give reasons why you think our decision is wrong. If we do not change the decision in your favour, we will send your case to the Appeals Service. This body is completely independent of the council.

Explaining the jargon

The items below are the ones we use in the letter you receive, showing how your Council Tax rebate is worked out.

Applicable Amount is the minimum amount of money the government says you need to live on each week.

Your *applicable amount* is made up of:

Personal Allowances and Premiums related to the ages and circumstances of you and your family.

Income is the amount of money you have coming in each week. We work this out based on the information you give us on your claim form.

Assumed Income is the amount of money you receive from your savings and investments. The way that assumed income is worked out is set by the Government. For people under 60, it is currently £1 per week income for every £250 (or part of) above £6,000. If you have, for example, savings of £6,500 your assumed income would be £2 per week.

For people over 60, it is currently £1 per week income for every £500 (or part of) above £6,000.

We do not count the first £6,000 of savings, but you still have to tell us about your savings and bank accounts even if you have less than £6,000.

Income Disregards are amounts of money you receive but are not counted when your rebate is being worked out.

Non-Dependants are adults (aged 18 or over) who live with you who do not hold the tenancy (excluding your partner).

Non-Dependant Deductions are amounts of money by which your rebate is reduced to take account of your *non-dependants*.

Excess Income means your *Income* is more than your *applicable amount*.

Taper is the amount that we reduce your rebate by when your *income* is above your *applicable amount*. Council Tax Rebate is reduced by 20p for every £1 of *excess income* you have.

How we work out Council Tax Rebate

We work out Council Tax Rebate in accordance with Government regulations by comparing your income with your applicable amount. When we do the calculation we also have to take non-dependants into account. **Council Tax Rebate cannot be paid in respect of water and sewerage charges.** You have to pay that part of your Council Tax bill yourself.

Step One:

We calculate your Income for Council Tax Rebate

Step Two:

We calculate your Applicable Amount

Step Three:

We compare your Income with your Applicable Amount

Step Four:

We work out any Non-Dependant Deductions

Please note: You have the right to a full written explanation of how any part of your Rebate is worked out.



Step One

Calculating Income for Council Tax Rebate

There are 4 basic stages to calculating your income for benefit purposes:

1. If you are working, we count your net earnings. This is your earnings less any tax, national insurance and half of any contributions you make to a pension scheme.

2. All kinds of income from every source are converted to a weekly amount and added together. This gives a **total weekly income**. We then add any assumed income from savings and investments. The end figure is known as your **gross income for benefit purposes**.

3. We then take away any Income disregards that you are entitled to. The main income disregards are given below. Please contact the Benefits Team if you need more information.

Disregarded from your Earnings

- Single Parents = **£25.00**
- Disabled Workers = **£20.00**
- Disabled Pensioners = **£20.00**
- Carers = **£20.00**
- Couples (either or both working) = **£10.00**
- Any other single earner = **£5.00**
- Only one earnings disregard per claim.

Other Main Disregards

- Child Care = **up to £175.00 for a child under 15**
= **up to £300.00 for 2 or more children under 15**

- if payments are clearly shown to be made to a Registered Childminder or a recognised nursery or school.

- Working Tax Credit
(working for at least 30 hours per week) = **£16.85**
- Disability Living Allowance, Attendance Allowance, War Disablement Pension, War Widows Pension, War Widowers Pension and Armed Forces Compensation Scheme Payments = **In Full.**
- Maintenance for dependant children = **In Full**
- Payment to widow(er)s with dependant children

4. The amount left is your **net income for benefit purposes** as shown on your decision notice.

If your savings and investments are more than £16,000 you will not qualify for Council Tax rebate, though there are some exceptions to this general rule. For more information, please contact the Benefits Team.

Please note: War Disablement Pensions, War Widows Pensions, War Widowers Pensions and Armed Forces Compensation Scheme Payments are disregarded in full due to the Council's policy. Some of the cost of this disregard is borne by Council Taxpayers in West Lothian. The Council reserves the right to amend this policy without giving notice.

Step Two

Calculating your Applicable Amount

To calculate your applicable amount, we add up the personal allowances *and* premiums that apply to you and your family.

Note: For the purpose of Council Tax Rebate your family consists of you, your partner and any children you get child benefit for. Any one else (such as an adult son or daughter over 18 who lives with you) is a Non-Dependant (see later).

Weekly personal allowances and premiums

Details of allowances are given below:

Personal Allowances

One of the following:

- Single, under 25 = **£50.95**
- Single, 25 and over = **£64.30**
- Couple 18 and over = **£100.95**
- Lone Parent = **£64.30**

Plus one of the following for each dependant

- From birth to September following 16th birthday = **£56.11**
- From September following the 16th birthday to day before 20th birthday = **£56.11**

(A dependant is someone you receive Child Benefit for).

Premiums

Plus One of the following if disabled:

- Disability Premium
Single = **£27.50**, Couple = **£39.15**

Plus the following if you have any dependant children.

- Family Premium = **£17.30**
(£27.80 while your child is under one year old)
or
- Family Premium (Lone Parent) = **£22.20***
(£32.70 while your child is under one year old)

Plus any of these where applicable:

- Severe Disability Premium
Single = **£52.85**, Couple (where one qualifies) = **£52.85**
Couple (where both qualify) = **£105.70**
- Disability Child Premium = **£51.24**
- Carer Premium = **£29.50**

** This rate is only payable to persons who already receive the lone parent premium on 5 April 1998. Any single parents claiming for the first time or following a break in entitlement on or after 6 April 1998 will receive the Family Premium. A period of Income Support or Job Seekers Allowance (IB) also counts as a break in entitlement.*

Step Three

We compare your Income with your Applicable Amount

- If you are entitled to Income Support or Income-Based Job Seekers Allowance or the Guarantee Credit from the Pension Service we will normally award Maximum Council Tax Rebate (but this may change if you have non-dependant adults staying in the house). If you are awarded Maximum Council Tax Rebate, the only part of the Council Tax bill **you will have to pay is the water and sewerage charges plus**
 - Council Tax arrears
 - Previous overpayments of Council Tax Rebate
 - Any Council Tax which you are jointly liable to pay with another adult
 - If your Income is greater than your Applicable Amount, we will take 20% of this excess income from your full rebate.

For example: If your Applicable Amount is £98.15 and your income is £108.15, your excess income is £10 per week. We have to reduce your rebate by £2.00 and you will have to pay £2.00 per week Council Tax in addition to any of the charges mentioned above.

Step Four

Non-Dependant Deductions

If you have any non-dependants staying with you (adults over 18 who are not joint tenants or your partner) they are expected to contribute to your Council Tax . We have to reduce your Council Tax Rebate by the amount shown below so you will also have to pay these amounts in Council Tax.

Non-Dependant Income	Weekly Deduction
Receiving Pension Credit	Nil
Receiving Income Support or Job Seekers Allowance (IB) or Employment and Support Allowance (IR)	Nil
Others aged 18 or over	£2.30
Aged 18 or over earning less than £178 weekly	£2.30
Aged 18 or over earning £178 to £305.99 weekly	£4.60
Aged 18 or over earning £306 to £381.99 weekly	£5.80
Aged 18 or over earning £382 or more weekly	£6.95

Notes: The income used is weekly gross income

If you have more than one non-dependant staying with you we will take more than one deduction from your rebate. If the non-dependants live together as a couple only one deduction will be made for them.

If you or your partner get Attendance Allowance or the care component of Disability Living Allowance or are registered blind, we do not take any non-dependant deductions from your rebate

If you do not tell us what your non-dependant earns, and do not provide evidence of their income, we may deduct a higher amount from your benefit than it should be and you could lose out.

In certain circumstances a concession will apply for pensioners aged 65 or over who have a non-dependant staying with them. The concession is designed to delay the deduction from benefit.

Second Adult Rebate

Second Adult Rebate is a different type of Council Tax rebate. It is awarded when someone has a "Second Adult" living in the house who is on Income Support or income based Job Seeker's allowance or is on a low income.

It cannot be awarded if the "Second Adult" is your partner or your tenant or your boarder.

It cannot be awarded if you are jointly liable for Council Tax with someone else unless one of you is disregarded for Council Tax discount.

If you would like more information about Second Adult rebates please contact the Benefits Team.

The Benefit rules make it a bit easier for some pensioners to get help with their rent or their Council Tax bills.

Further details can be found in the booklet:
Help with Rent and Council Tax for Pensioners in West Lothian

This booklet is available from your local Council offices

Information is available in Braille, tape, large print and community languages.
Please contact the Interpretation and Translation Service on 01506 775000

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.
الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 775000

এই তথ্য আপনি ব্রেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষাগুলিতেও পাবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলিঃ 01506 775000

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ਇਹ ਜਾਣਕਾਰੀ (ਬੋਲ) ਨੋਕਰੀਨ ਦੇ ਪੜ੍ਹਣ ਵਾਲੀ ਲਿਪੀ, ਟੇਪ, ਵੱਡੇ ਫਿੰਟ ਅਤੇ ਸਮਾਜ ਦੀਆਂ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਉਪਲਬਧ ਹੈ। ਟ੍ਰਿਪਾ ਕਰਕੇ ਇੰਟਰਪ੍ਰੈਟੇਸ਼ਨ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸਰਵਿਸ ਟੂ ਇਸ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ : 01506 775000

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براہ مہربانی انٹریپرائزنگ اینڈ ٹرانسلیٹنگ سروس سے ٹیلیفون نمبر 01506 775000 پر رابطہ قائم کریں۔

Informacje te mogą być przekazane na język Braille'a, dostępne na taśmie magnetofonowej lub wydane dużym drukiem oraz przetłumaczone na języki mniejszości narodowych.
Prosimy o kontakt z Usługami Tłumaczeniowymi pod numerem 01506 775000

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