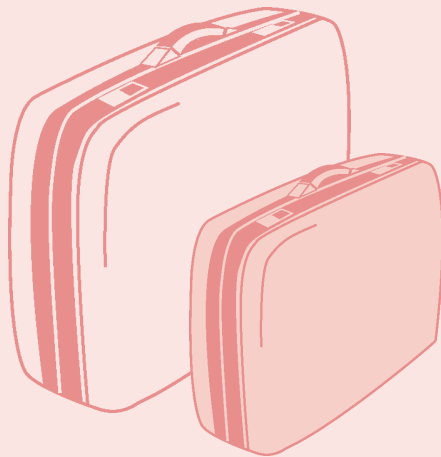


Derbyshire Dales

District Council

Housing and Council Tax Benefit


Temporary absence from home



In this booklet:

- *how being away from home affects your benefit*
- *application form*

plain English
approved
by the word centre

DERBYSHIRE
DALES

DISTRICT COUNCIL

Being away from home

Am I still entitled to Housing and Council Tax Benefit if I am away from my home?

Normally Housing and Council Tax Benefit can only be paid if you are actually living in the property you are claiming benefit for.

But there are situations where we may still pay Housing and Council Tax Benefit if you are temporarily away from your home. Depending on the reason why you are away, we may be able to pay Housing and Council Tax Benefit for up to 13 weeks. or even 52 weeks in special cases (see below).

What does 'temporarily away from home' mean?

To keep receiving Housing and Council Tax Benefit, all the following must apply:

- You must intend to come back to live in the property.
- The part of the property you normally live in must not have been relet or sublet to someone else.
- You must not be likely to be away for more than 13 or 52 weeks (see opposite).

Also, to keep receiving Council Tax Benefit, you must still be responsible for paying the Council Tax on the property. Normally you can only be away for up to 13 weeks and still be able to receive Housing and Council Tax Benefit. If it appears from the outset that you are likely to be away longer than 13 weeks we cannot normally pay any Housing and Council Tax Benefit.

What are the special cases when Housing and Council Tax Benefit can be paid for up to 52 weeks?

If you are away for any of the following reasons, we may be able to pay Housing and Council Tax Benefit for up to 52 weeks (as long as at the outset it appears that you will not be away for much more than 52 weeks):

- a prisoner on remand
- in hospital as a patient
- having medical treatment or medically approved convalescence, but you are not in residential care
- on an approved training course;
- providing medically approved care
- caring for a child whose parent or guardian is receiving medical treatment or medically approved care
- receiving medically approved care, but you are not in residential care
- certain students who are entitled to Housing Benefit
- away due to fear of violence
- receiving temporary care in residential care, but not if you are living there as a trial.

Medically approved care must be certified by a medical practitioner

(For example your doctor or a nurse).

What happens if my circumstances change?

On page 2 we gave three conditions you have to meet to still receive Housing and Council Tax Benefit.

If there is a change in your circumstances which means that you no longer intend to return to the property you are claiming Housing and Council Tax Benefit for, we will no longer be able to pay benefit. This will not affect any benefit paid while you still intended to return to the property.

If the part of the property you normally live in is relet or sublet to someone else, we will no longer be able to pay benefit. This will not affect any benefit paid before this happened.

If it comes to light that you are going to be away for more than 13 or 52 weeks, then we will stop paying you Housing and Council Tax Benefit.

If you are one of the 52-week special cases, we may be able to pay benefit a little longer depending on the reasons.

If there is any change in your circumstances you must always let us know, so that we pay your Benefit correctly.

What happens if I go into residential care?

If you go into residential care for a trial stay, for example to see if it suits you, we can still pay you Housing and Council Tax Benefit for up to 13 weeks as long as:

- you still intend to return home if the residential care does not meet your need

and

- your property is not sublet or relet.

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Strictly Confidential

Application for benefit while temporarily away from home

Fill in and pull out this form and send it back to us at the address on page 11 of this leaflet

Title

Your Surname

All other names

Your date of birth

National Insurance (NI) number

Get this from your NI number card, payslips, tax papers or other letters from social security

Your Address

Daytime phone number

What date did you move into your home?

What date did you leave or intend to leave?

Do you intend to return to this property? Yes No

Give details of anyone still living in the property

If you are renting the property, has your landlord relet or sublet the property to someone else or does he intend to do this?

Yes No

If 'Yes', please give the date this happened or is going to happen

How long do you expect to be away?

What date do you expect to return to this property?

Please write below the full reasons why you are away or will be away

If you are in prison, please answer the following questions:

1. What date were you taken into custody?

2. What date were you sentenced or are you going to be sentenced?

3. If you have been sentenced, how long is the sentence you have received?

Declaration and warning

If you give false information, or you do not tell us information that is relevant, you may be prosecuted under the Theft Acts 1968 and 1978 or the Social Security Act 1992.

Declaration

- The information I have given is true and complete.
- I authorise the local authority to check the information if they want to.
- I will write and tell you if there are any changes in my circumstances or my household's circumstances.
- I understand that my application may not be considered if I do not give all the information you have asked for.

We must protect the public funds we handle and so we may use the information you have given on this form to prevent and detect fraud. We may also share this information, for the same reasons, with other organisations which handle public funds. This information may be given to other departments within the council.

The information may also be used for statistical surveys. This means we may pass this information, in confidence, to the Department for Work and Pensions and agencies working on our behalf.


Do not delay in sending back this form otherwise your benefit may be affected

You must sign the declaration below

I have read the declaration and warning above and declare that to the best of my knowledge and belief, the information shown on this form is true and complete.

Your signature Date

Your partner's signature Date



The 13 weeks starts from the date you go into residential care. But your total time away, including for example any time spent staying with a relative immediately before going into residential care, must not be more than 52 weeks.

If you go into residential care permanently, you will no longer be entitled to Housing and Council Tax Benefit.

You may receive Housing and Council Tax Benefit for up to 52 weeks if you go into residential care (not permanently and not for a trial stay), as long as you still intend to return home and your property is not sublet or relet.

What happens if I return home for a short time but then have to leave again?

If you return home and live there, and then have to leave again, you must let us know. We will normally start a new period of ‘temporary absence’ as long as you meet the conditions above.

What if I disagree with the Council’s decision on Housing and Council Tax Benefit?

If you disagree with the decision you can ask us to look at your claim again. You must contact us within one month of the date of the decision letter. You can phone, write or visit us and ask us to explain the decision. You can also ask us for a written statement of reasons, which will show more information about the decision. If you are still not satisfied, you can appeal.

Please contact us and we will give you more information.



We will look again at our decision if you ask us to. Please write to us saying why you do not agree with the decision.

Do I have to tell the council of any changes?



YES: If your circumstances change in any way, the law says you must tell the benefits section immediately

Would you like more information?



If you would like more information please phone the Housing and Council Tax benefit section on the following number.

01629 761188



Derbyshire Dales District Council
Benefits Section, Corporate Services
Town Hall, Bank Road, Matlock
Derbyshire DE4 3NN



Website address:
www.derbyshiredales.gov.uk



Our Benefits Office is open during the following hours:

Monday - Friday
9.00am to 5.00pm

You can write to us at:

Derbyshire Dales District Council
Benefits Section
Corporate Services
Town Hall,
Bank Road, Matlock
Derbyshire DE4 3NN

Telephone
01629 761188

Fax:
01629 761148

You can email us at:
benefits@derbyshiredales.gov.uk

Website address:
www.derbyshiredales.gov.uk

FRAUDLINE

*Do you know someone who
is falsely claiming benefit?*

If you do please tell the
Benefit Investigation Unit
on the fraudline number

01629 761330

