

# **Review of the new backdating rules for Housing and Council Tax Benefit**

## **The new rules**

Since October 2008, new rules have been in force which affect the period for which a claim for Housing or Council Tax Benefit can be backdated. Customers of working age can now apply for up to 6 months backdated payment, if they can show there was a valid reason (good cause), for not applying sooner. Customers who have reached the qualifying age for Pension Credit can have their claim treated as having been made up to 3 months earlier. Previously the time period for both categories of customer was 12 months.

## **Review of the policy**

When the new rules were introduced the original intention was to apply a 3 month time limit to backdated awards for working age customers. This was extended to 6 months following representations made to Government by a number of organisations concerned about the possible impact on customers. The Government intends eventually to reduce the working age backdating period to 3 months, but will review the effects of the policy this year before making any further changes.

This questionnaire seeks information about the new rules in order to feed into the review.

## **Who should complete the questionnaire?**

This questionnaire is aimed primarily at people who work for organisations, such as welfare rights agencies, local authorities, landlords, housing associations etc, particularly where they are either giving advice to customers about possible HB/CTB benefit entitlement, or dealing with claims for HB/CTB. People advising on housing issues, dealing with rent arrears or evictions, offering debt advice or other similar issues may also have views on the new rules, and may have case studies they can describe. If you think you have information you wish to share with us, please complete the questionnaire.

The questionnaire is aimed at individuals rather than organisations, so more than one person from the same organisation can complete a questionnaire. However, organisations can also use the questionnaire to give general feedback about the policy, and may wish to submit this towards the end of the survey period in July.

## **What does the questionnaire ask about?**

We would like to hear about any specific cases you may have dealt with. You can tell us about several different cases if you have more than one example, particularly if they help to illustrate any comments or views you have about how the new policy is working.

Completed questionnaires can be submitted for any HB/CTB customer, whether of working or Pension Credit age. However, the purpose of the review is to assess the impact of the new backdating rules on working age customers, and our analysis will focus on that.

The questionnaire is divided into three sections:

- **Section A: respondent's details**

Please note that we are **not** asking for the name of the person who is the subject of the case study. This section is only included to enable DWP to assess where the questionnaires have come from, and to provide a contact in case we would like more information about a case study. Your name and contact details will be treated as strictly confidential and will not be disclosed to anyone outside DWP or to anyone who is not involved in analysing the survey results.

- **Section B: general feedback**

A series of multiple choice questions asking for your general view of the impact of the change based on your/your organisation's experience.

- **Section C: case study**

This section is for submitting details of a specific case. The most useful cases for the purposes of the survey will be those where the decision on the backdating request is known. However, we understand that advisers may also wish to submit details of a case where they do not know what the outcome was, and the questionnaire can be used to do so.

To enable you to send in as many case studies as you want, there is no limit to the number of responses you or your organisation can submit during the consultation period. For this reason, you may often only want to submit a case study without giving your view on the general impact of the change, and so would complete only Sections A and C. On the other hand, you may wish to give a general view either as an individual or on behalf of your organisation (particularly towards the end of the consultation period), and in that case would only complete Sections A and B.

Depending on the number of sections you wish to answer, the questionnaire should take between 5 to 15 minutes to complete.

Please note that the questionnaire does not ask for customer details – please do not provide any information – names, addresses etc – which would enable the customer to be identified.

## **When can I submit a response?**

The survey period runs from 2 March to 31 July, and you can submit your responses at any time during this period.

## How to complete the questionnaire

There are two ways of completing the questionnaire and sending it to us:

- A Word version of the questionnaire can be downloaded and completed on your PC. Once completed, please then send it by email to –

[hb-ctb.backdatingcases@dwp.gsi.gov.uk](mailto:hb-ctb.backdatingcases@dwp.gsi.gov.uk)

- Print versions of the questionnaire (PDF or RTF) can be downloaded and used for handwritten responses. Once completed, please post your response to:

Richard Grennan  
Housing Benefit Strategy Division  
Level 1D Caxton House  
Tothill Street  
London SW1H 9NA

**(Note:** We had intended to publish an automated version of the questionnaire that could be fully submitted online. Unfortunately, for technical reasons beyond our control, it has not been possible to do this – we apologise for any inconvenience this might cause.)

## What will we do with the findings?

The information from the questionnaires received will be analysed by DWP. A report on the findings will be published at the end of the year.