

# Getting the Benefit

A Guide to Rent Allowance for tenants of  
Private landlords and Housing associations

April 2007



West Lothian  
Council

# Your local Council Information Service Centres

<p><b>Armadale</b> 1/3 East Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm</p>	<p><b>Blackburn Connected</b> 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</p>
<p><b>Broxburn</b> Strathbrock Partnership Centre 189a West Main Street Mon, Tues 8.30am – 5.00pm Wed, Thurs 8.30am – 5.00pm Fri 8.30am – 4.00pm</p>	<p><b>Bathgate</b> Lindsay House, South Bridge Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm</p>
<p><b>Fauldhouse</b> 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</p>	<p><b>Linlithgow</b> County Buildings Mon, Tues 8.30am – 5.00pm Wed, Thurs 8.30am – 5.00pm Fri 8.30am – 4.00pm</p>
<p><b>Carmondean, Livingston</b> The Ability Centre Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm</p>	<p><b>West Lothian Connected</b> 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</p>
<p><b>West Calder</b> 24-26 Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 10.30am – 5.00pm Fri 8.30am – 4.00pm</p>	<p><b>Whitburn</b> 5 East Main Street Mon, Tues, Thurs 8.30am – 5.00pm Wed 8.30am – 3.00pm Fri 8.30am – 4.00pm</p>

In addition, West Lothian Council's 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*

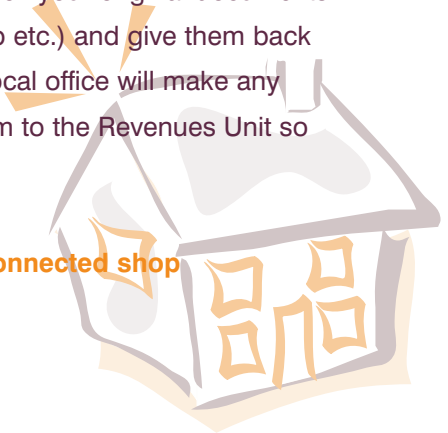
# save time... save travel... save postage...

If you need to make a new claim for Income Support or Job Seekers Allowance or Incapacity Benefit you may be able to use the new JobCentre 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 Housing Benefit and Council Tax Rebate. JobCentre Plus will gather information and evidence for your Housing Benefit and Council Tax Rebate claim and will send this direct to the council's benefit team. The council may then have to write to you  
The phone number for this service is: 0845 600 4250

If you are not using the new JobCentre Plus service, you can make a claim for housing benefit or council tax benefit to the council. If you do need to make a new application for Benefit - **you can simply 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 book, 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 try to explain how we work out your rent allowance and the factors which can affect how much help you get with your rent. This leaflet gives general information and examples only. It is not a complete statement of the law. How we have to work out your rent allowance is set down in law. We have tried to explain this, but if you need further help and advice regarding your claim, your local council office can help or you can telephone our Customer Contact Centre on **(01506) 775000 / 776800** 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 Rent Allowance 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** Rent Allowance and Council Tax Rebate.

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

**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**
- **Rent or Tenancy agreement**
- **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  
Rent Allowance or Council Tax Rebate 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 Rent Allowance and some changes mean you will get less Rent Allowance, 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 must tell us about are:*

- **Changes in your earnings or other income**
- **Changes in your savings**
- **Changes to your Tax Credits**
- **Changes to your Pension Credits**
- **The amount or type of Benefit you get changes**
- **Someone in your house starts or stops working**
- **Someone else moves into your home**
- **Someone leaves your home**
- **Family members stop living with you**
- **Your family increases**
- **Your non-dependant's income goes up or down**

You should tell us in writing about the change in your circumstance. Tell us what the change is and tell us the date the change happened, then sign it. You can go into your local council office and the staff there can write down what you tell them and then ask you to sign it.

*This list is not exhaustive. If you have a change of circumstances and you are unsure if you need to tell us, contact us on **01506 776800** to discuss it. We will be able to advise you.*

## Getting the benefit - Keeping it right

### Tax Credits

If you have been told that you are getting Working Tax Credit or Child Tax Credit you must tell the Council about your award as this will affect your rent allowance. See page 4 Changes in your Circumstances.

**If the amount of Tax Credit you get changes you must tell the council straight away because this will affect the amount of rent allowance and Council Tax Rebate you get.** You can take your Tax Credit award letter to your local Council Office so they can copy it for you, or you can send the original to:

**The Benefits Team,**

West Lothian Council, St David House, Bathgate, EH48 1TT

If you need further information or help with Tax Credits you can contact the Inland Revenue on their Helpline.

You can phone **0845 300 3900**

### Pension Credits

**If you are getting Pension Credit the council will be told about your award by the Pension Service as this can affect your Rent Allowance.**

There are two kinds of Pension Credit:

There is a Guarantee Credit and there is a Savings Credit.

Your letter of award from the Pension Service will tell you which one you get. Some people may get both kinds depending on their circumstances.

The amount of any Pension Credit award usually goes up in April each year.

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

If you get the Guarantee Credit, any increase will not affect the amount of Rent Allowance and Council Tax Rebate you get.

If you get the Guarantee Credit and the Savings Credit, any increase will not affect the amount of Rent Allowance and Council Tax Rebate you get. See page 4 Changes in your Circumstances.

**If you get the Savings Credit only, then any change will affect the amount of Rent Allowance and Council Tax Rebate you get.**

If you need further information or help with Pension Credits you can contact the Pension Service on their Helpline.

You can phone **0845 6060 265**

### **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 get 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 8.30 a.m. and 6.30 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 Rent Allowance 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.

**Notional Income** is the amount of money you receive from your savings and investments. The way that notional 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 notional 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.

In addition, if you or your partner received payment of £10,000 from the Government because you or your partner were imprisoned by the Japanese during the Second World War, then £10,000 of your capital is permanently disregarded.

Lump sum payments received from The Skipton Fund are also disregarded.

**Income Disregards** are amounts of money you receive but are not counted when your rent allowance 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 rent allowance 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 benefit by when your income is above your applicable amount. Rent Allowance is reduced by 65p for every £1 of excess income you have.

## Rent restrictions

Before we start to work out your Rent Allowance we need to know what your weekly **eligible** rent is. This is the amount of your rent that is eligible for Rent Allowance. It may be less than your actual rent for two reasons.

**Firstly**, Rent Allowance cannot cover any charges for services that are not eligible, (like heating, lighting or personal care)

**Secondly**, the figure used by the Benefits team to calculate your rent is a valuation supplied to them by the Rent Officer. The Rent Officer is an official who is independent of the Council. The Rent Officer may supply the Council with a rent figure for your home that is less than the actual rent you pay your landlord. If this happens you will have to pay the difference to your landlord.

If you are unhappy with the valuation supplied by the Rent Officer you can apply for the valuation to be looked at again.

### **Pre-tenancy Determination:**

If you are thinking of moving to another property and will need Rent Allowance to help pay the rent, please contact the Benefit team and ask about a Pre-tenancy determination. This will tell you what the eligible rent is before you sign a contract for the tenancy.

## How we work out rent allowance

We work out Rent Allowance 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.

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### **Step One:**

**We calculate your Income for Rent Allowance**

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### **Step Two:**

**We calculate your Applicable Amount**

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### **Step Three:**

**We compare your Income with your Applicable Amount**

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### **Step Four:**

**We work out any Non-Dependant Deductions**

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



## Step One

### Calculating Income for Rent Allowance

*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 notional 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) = **£15.45**
- 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 = **£15.00**
- 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 Rent Allowance, 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 Tax payers 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 Rent Allowance 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 = **£46.85**
- Single, 25 and over = **£59.15**
- Couple both aged under 18 = **£70.70**
- Couple 18 and over = **£92.80**
- Lone Parent = **£59.15**
- Lone Parent under 18 = **£46.85**

**Plus** one of the following for each dependant.

- From birth to September following 16th birthday = **£47.45**
- From September following the 16th birthday to day before 20th birthday = **£47.45**

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

## Premiums

**Plus** one of the following if disabled or aged 60 or over:

- Pensioner premium (60 or over)  
Single = **£59.90**, Couple = **£88.90**
- Disability Premium  
Single = **£25.25**, Couple = **£36.00**

**Plus** the following if you have any dependant children.

- Family Premium = **£16.43**  
(£26.93 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 = **£48.45**, Couple (where one qualifies) = **£48.45**  
Couple (where both qualify) = **£96.90**
- Disability Child Premium = **£46.69**
- Carer Premium = **£27.15**

*\*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 Guaranteed Credit from the Pension Service we will normally award Maximum Rent Allowance. This will be your full rent **less** any charges for services that are not eligible (like heating or lighting); any non-dependant deductions; and any Rent restriction (see below)
- If your Income is greater than your Applicable Amount, we have to take 65% of this excess income from your Maximum Rent Allowance.

*For example: if your Applicable Amount is £123.03 and your Income after any disregard is £133.03, your excess income is £10 per week. We have to reduce your Rent Allowance by £6.50 per week.*

### **Rent restrictions**

The figure used by the benefits team to calculate your rent is a valuation supplied to them by the Rent Officer. The Rent Officer may supply the Council with a rent figure that is less than the actual rent you pay your landlord. If this happens you will have to pay the difference to your landlord.

*If you are unhappy with the valuation supplied by the Rent Officer you can apply for the valuation to be looked at again.*

## 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 rent. We have to reduce your Rent Allowance by the amount shown below so you will also have to pay these amounts in rent.

Non-Dependant Income	Wkly Deduction
Receiving Pension Credit	Nil
Aged 25 or over and on Income Support or Job Allowance (IB), or aged 18 or over and not working	£7.40
Aged 18 or over earning less then £111 weekly	£7.40
Aged 18 or over earning £111 to £163.99 weekly	£17.00
Aged 18 or over earning £164 to £212.99 weekly	£23.35
Aged 18 or over earning £213 to £282.99 weekly	£38.20
Aged 18 or over earning £283 to £352.99 weekly	£43.50
Aged 18 or over earning £353 or more weekly	£47.75

*Notes: The income used is weekly gross income - If you have more than one non-dependant staying with you we have to take more than one deduction from your rent allowance. 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 rent allowance.*

**If you do not tell us what your non-dependant earns, and do not provide evidence of their income, we have to deduct the highest amount (£47.75) from your rent allowance.**

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. Full details are contained in the leaflet: **“Help with Rent and Council Tax for pensioners in West Lothian”**

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 leaflet:  
**Help with Rent and Council Tax for pensioners in West Lothian**

This leaflet is available from your local Council offices

Information is available in Braille, on tape, in large print and community languages.

Please contact the Interpretation and Translation Service on 0131 242 8181.

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.  
الرجاء الإتصال بخدمة الترجمة على الهاتف 0131 242 8181

এই তথ্য আপনি ব্ৰেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষাগুলিতেও পাবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলি: 0131 242 8181

這份資料是可以凸字、錄音帶、大字印刷及社區語言的式本提供。請聯絡傳譯及翻譯服務部，電話：0131 242 8181

ਇਹ ਜਾਣਕਾਰੀ (ਬ੍ਰੇਲ) ਨੈਤ੍ਰੀਨ ਦੇ ਪੜ੍ਹਣ ਲਈ ਲਿਖੀ, ਟੈਪ, ਵੱਡੇ ਫਿੰਟ ਅਤੇ ਸਮਾਜ ਦੀਆਂ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿੱਚ ਉਪਲਬਧ ਹੈ। ਸੇਵਾ ਬਾਰੇ ਜ਼ਿੰਦਗੀਦੇਸ਼ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸਰਵਿਸ ਨੂੰ ਇਸ ਨੰਬਰ 'ਤੇ ਸੰਪਰਕ ਕਰੋ। 0131 242 8181

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برلوسوائی، ایلو، پریٹنگ اینڈ ٹرانسلیٹنگ سروس سے ٹیلیفون نمبر 0131 242 8181 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 0131 242 8181.

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Please retain for your information

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