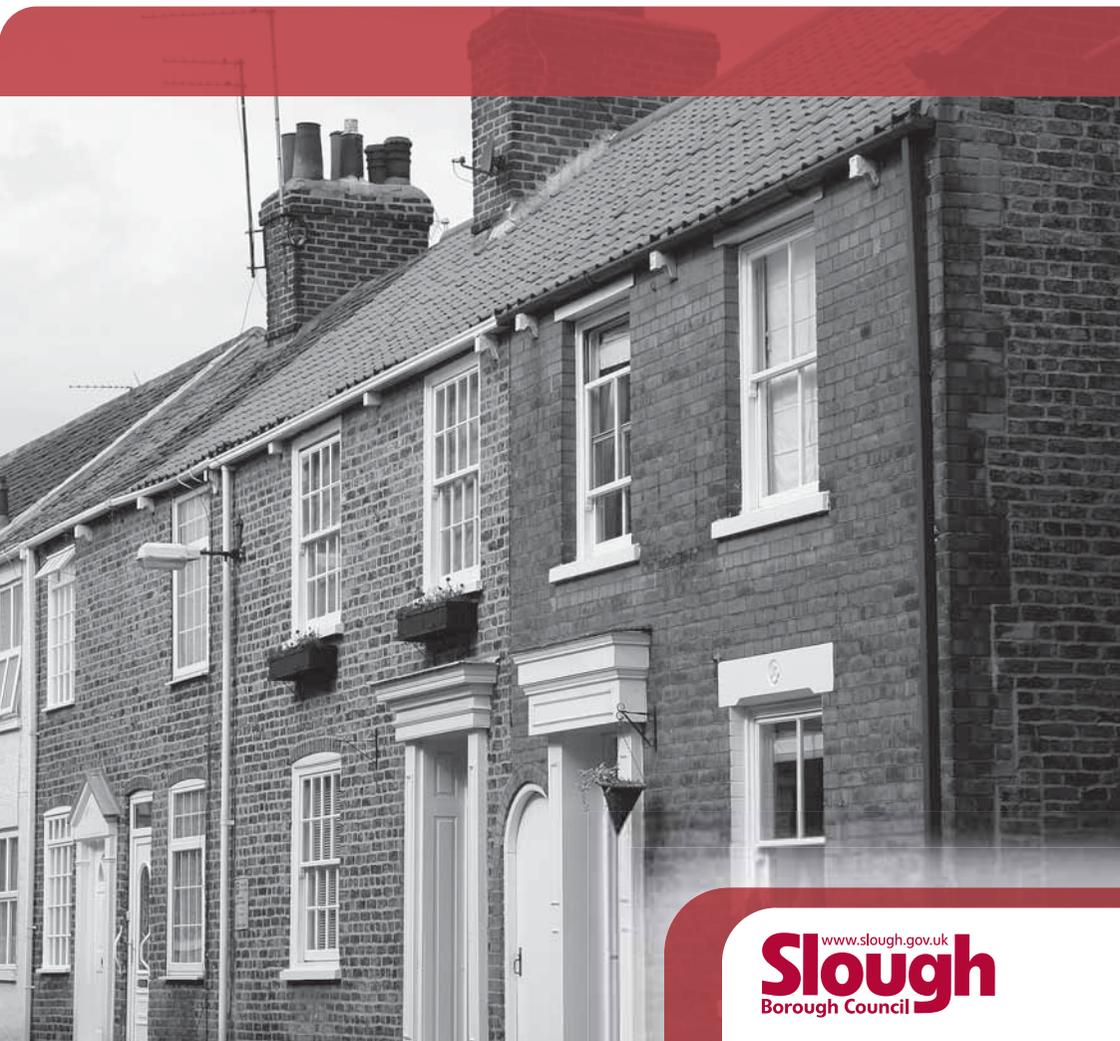


Understanding or disputing a benefits decision



What to do if you think our decision is wrong

This leaflet tells you what to do if you disagree with the decision we have made about your housing and council tax benefit or would like it explained. This information is for general guidance only. Please contact us to talk about your individual circumstances and we will be able to give you more information.

Do you understand your benefit decision?

When we deal with your claim for benefit we will send you a benefit decision letter, which will show the information we have used to work out your benefit entitlement. You should check this letter carefully. If you believe that this decision is wrong, or would like to query it you should contact us within one month and you have three options:

- You can ask us for a statement of reasons for the decision at any time and we will explain the decision in more detail. Once you have received your statement of reasons, you can still ask us to look at the decision again or submit an appeal. The one month you are allowed to make your request or submit an appeal will be extended by the time it has taken for us to provide you with the statement of reasons.
- You can ask us to reconsider the decision by writing to us within one month of the decision clearly asking us to reconsider the decision and explaining why you think the decision is wrong. The decision will be looked at again and you will be informed in writing of the outcome.
- You can appeal against the decision by completing an appeal form or writing to us within one month of the decision clearly stating that you would like to appeal to an independent appeal tribunal and explaining why you think the decision is wrong. If you appeal, your case will be referred to the Tribunal Service for a tribunal judge to decide if our decision is correct or not. It may be better to ask us to reconsider the decision first, because you can still appeal after we have sent you the outcome of your reconsideration request.

Appealing against the decision

Your appeal must be:

- in writing
- signed by yourself
- clearly state what you are appealing against and should identify the date of the decision against which you wish to appeal and explain in full why you think it is wrong and give relevant facts. It will be helpful if you can provide evidence to support your request or appeal.

Representation

If a representative is appealing on your behalf, you must still sign the appeal and let us know in writing that you have authorised somebody else to deal with your appeal.

Once we have received your appeal

We will look at the decision again to see if it can be changed and write to you about the outcome:

- If we think the decision is correct we will write to you explaining why and give you the chance to withdraw your appeal if you want to.
- If we think the decision is wrong and we change the decision to your advantage we will write to tell you about the new decision. Your appeal will close, but you will be given new appeal rights for the new decision.
- If we think the decision is wrong and we change it to your disadvantage we will write to you about the new decision giving you the chance to comment on the new decision.

Late appeals

If you are appealing more than one month after the date on the benefit decision letter your appeal may still be accepted if there are special reasons for the delay.

You will need to provide a full written explanation, with your request for us to reconsider your claim, or, your appeal, as to why it is late. We will consider if the reasons you have given are adequate for your request or appeal to be accepted.

An appeal cannot be accepted if more than 13 months has passed since the date of the decision.

If you have appealed late and the council do not accept the reasons for your delay to be adequate, your case will still be passed to the Tribunal Service for consideration. An independent, legally qualified member of the Tribunal Service will look at the reasons you have given for the delay and advise as to whether the case should be heard at an appeal tribunal, or, if it cannot be heard because it is late with no special circumstances.

The Tribunal Service

The tribunal service is independent. If you have been informed that your appeal has been passed to the tribunal service your case will be decided at an appeal tribunal. The tribunal is made up of people who are not from the local authority. A copy of the case papers that have been passed to the Tribunal Service will be sent to you.

The Tribunal Service will contact you directly and will arrange the time, date and venue for the hearing.

An advice centre like the Citizen's Advice Bureau or Shelter can also give you free advice. If you decide to use a solicitor, we do not cover the cost of a solicitor to help you at a hearing. You cannot get any money for things like solicitors fees from the Tribunal Service either.

The hearing

At the tribunal hearing a tribunal judge who is a legally qualified person will consider your appeal. They will look at the evidence, the law and the circumstances at the time we made the decision you are appealing against. A presenting officer from the council may also attend the hearing to present the case from the council's point of view. You will be given the opportunity to present your side of the case to the panel.

After the tribunal has considered all the evidence from an oral or paper hearing, it will reach a decision. After the tribunal has reached a decision it will provide a decision notice either orally at the hearing or in writing.

Once you have received the decision notice you can request a statement of reasons for the decision.

If you or the local authority disagree with the tribunals decision

You may be able to appeal to the Upper Tribunal. You can appeal to the Upper Tribunal if you have already appealed to the Tribunal Service or the local authority. You can only appeal to the Upper Tribunal on a point of law; you cannot appeal questioning facts or a tribunal's findings or conclusions.

Further information about the Tribunal Service is available from:

The Tribunal Service
SSCSA
Administrative Support Centre
P.O. BOX 14620
B16 6FR
Tel: 0300 123 1142

How to contact us

Telephone us on: 01753 475111

Write to us at: Slough Borough Council
Benefits Service, PO Box 1032
Slough Berks
SL1 3YT

Visit us at: MyCouncil, Landmark Place
High Street, Slough, SL1 1JL
Cippenham Library
Elmshott Lane, Cippenham SL1 5RB
Britwell Centre
Wentworth Avenue, Britwell SL2 2DS
Langley Library
Trelawney Avenue, Langley SL3 7UF



This document can be made available on audio tape, braille or in large print, and is also available on the website where it can easily be viewed in large print.

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If you would like assistance with the translation of the information in this document, please ask an English speaking person to request this by calling 01753 475111.

यदि आप इस दस्तावेज में दी गई जानकारी के अनुवाद किए जाने की सहायता चाहते हैं तो कृपया किसी अंग्रेजी भाषी व्यक्ति से यह अनुरोध करने के लिए 01753 475111 पर बात करके कहें.

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਦਾ ਅਨੁਵਾਦ ਕਰਨ ਲਈ ਸਹਾਇਤਾ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਕਿਸੇ ਅੰਗਰੇਜ਼ੀ ਬੋਲਣ ਵਾਲੇ ਵਿਅਕਤੀ ਨੂੰ 01753 475111 ਉੱਤੇ ਕਾਲ ਕਰਕੇ ਇਸ ਬਾਰੇ ਬੇਨਤੀ ਕਰਨ ਲਈ ਕਹੋ।

Aby uzyskać pomoc odnośnie tłumaczenia instrukcji zawartych w niniejszym dokumencie, należy zwrócić się do osoby mówiącej po angielsku, aby zadzwoniła w tej sprawie pod numer 01753 475111.

Haddii aad doonayso caawinaad ah in lagu turjibaano warbixinta dukumeentigaan ku qoran, fadlan weydiiso in qof ku hadla Inriis uu ku Waco 01753 475111 si uu kugu codsado.

اگر آپ کو اس دستاویز میں دی گئی معلومات کے ترجمے کے سلسلے میں مدد چاہئے تو، براہ کرم ایک انگریزی بولنے والے شخص سے 01753 475111 پر کال کر کے اس کی درخواست کرنے کے لئے کہیں۔