

# Housing Benefit & Council Tax Support Temporary Absence From Home



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*



In this booklet:

How being away from home  
affects your benefit

Application form

# BEING AWAY FROM HOME

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

Normally Housing Benefit and Council Tax Support 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 Benefit and Council Tax Support if you are temporarily away from your home.

Depending on the reason why you are away, we may be able to pay Housing Benefit and Council Tax Support 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 Benefit and Council Tax Support, 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 re let or sublet to someone else.
- You must not be likely to be away for more than 13 or 52 weeks (see opposite).
- If you are in hospital as a patient there is no time limit.

Also, to keep receiving Council Tax Support, 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 Benefit and Council Tax Support. If it appears from the outset that you are likely to be away longer than 13 weeks we cannot normally pay you any Housing Benefit and Council Tax Support.

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

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

- a prisoner on remand
- 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?

If there is a change in your circumstances which means that you no longer intend to return to the property you are claiming Housing Benefit and Council Tax Support 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 re let 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 Benefit and Council Tax Support, unless you are a patient in hospital.

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 Benefit and Council Tax Support 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 re let.

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 Benefit and Council Tax Support.

You may receive Housing Benefit and Council Tax Support 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 re let.

## 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 my claim for Housing Benefit and Council Tax Support?

If you disagree with the decision made on your claim you can ask us to explain our decision or ask for 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. If you are still not satisfied, you can appeal or dispute the decision.

Please contact us using the contact details at the back of this form and we will give you more information on how to do this.

# Application for benefit while temporarily away from home

Fill in and pull out this form and send it to your local council address which is at the back of this leaflet.

Title (Mr/Mrs/Miss/Ms)	
Your Surname:	
All other names:	
Your date of birth:	
National Insurance (NI) number: <i>(Get this from your NI number card, tax papers or other letters from social security)</i>	
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 re let 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 from the property:

## 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?

# If you are in residential care, please answer the following questions:

1. What date did you go into residential care?

2. Is this a trial stay?

Yes  No

2. If 'No', have you moved in permanently?

Yes  No

4. If 'Yes', please give the date you decided to stay in residential care permanently:

Please fill in the space below to give us any extra information:

## 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:

## 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 Benefit and Council Tax Support section on the numbers on the back of this form.

Our Benefits Offices are open during the following hours:

## Hinckley and Bosworth Borough Council Offices, Hinckley Hub, Rugby Road, Hinckley LE10 0FR

Monday to Thursday: 8.30am to 5.00pm

Friday: 8.30am to 4.30pm

(last ticket to see an advisor, including handing in Benefit claim forms, is issued 15 minutes before closing)

## North West Leicestershire District Council Offices, Whitwick Road, Coalville LE67 3FJ

Monday to Wednesday: 8.45am to 5.00pm

Thursday: 9.30am to 5.00pm

Friday: 8.45am to 5.00pm

## Harborough Council Offices, The Symington Building Adam and Eve Street, Market Harborough LE16 7AG

Monday to Tuesday: 8.45am to 5.00pm

Wednesday: 9.30am to 5.00pm

Thursday to Friday: 8.45am to 5.00pm

(latest time to bring in a new benefit claim form is 4.15pm)

## Contact Centres

### Harborough Contact Centre **01858 828282**

Monday to Friday: 8.00am to 5.00pm

(Closed Wednesday 9.00am to 9.30am)

### North West Leicestershire Contact Centre **01530 454551**

Monday to Wednesday: 8.45am to 5.00pm

Thursday: 9.30am to 5.00pm

Friday: 8.45am to 5.00pm

### Hinckley Contact Centre **01455 238141**

Monday to Thursday: 8.30am to 5.00pm

Friday: 8.30am to 4.30pm