

INFORMATION FOR LANDLORDS

HOW CAN THE LANDLORD HELP



Timely notification of Changes of Circumstances

It is the duty of the landlord, as well as the tenant, to notify the Council if they are aware of any changes to their tenants' circumstances. Similarly, if the landlord suspects any fraudulent activity, the Council must be notified immediately.

Failure to report any changes that may affect entitlement could lead to prosecution.

Inform the Council of tenants in rent arrears

Where more than 8 weeks rent arrears are owing, the landlord can write to the Council giving full details and ask that future benefit payments be made direct to them.

However, where there are problems do not delay; the authority encourages landlords to notify us as soon as possible if a problem arises and tenants fall into rent arrears. This will enable us to minimise loss to the landlord by making enquiries at an early stage.

HOW CAN THE TENANT HELP?

Timely submission

- **The tenant must submit full details of their claim and documentary evidence before benefit can be awarded. If the tenant fails to return the form on time benefit will be lost.**
- **Tenants have to produce high standards of evidence to support their claims for benefit, and only *original* documents, not copies, will be accepted**
- **Tenants can make a claim for benefit up to 13 weeks prior to moving into a property. This is beneficial to both landlord and tenant as it enables the claim to be processed more efficiently, provided that all the relevant information has been received**

Providing the appropriate documentation:

Proof of identity and National Insurance Number

The Council will need to see at least two items from the following list for both the claimant and partner:

Original birth certificate	Life assurance policy
Driving Licence	Letter from Solicitor, doctor, Social Worker, Probation Office or the Inland Revenue
Divorce/Annulment papers	
UK residence permit	
Benefit entitlement letter	
Gas, electric or water rates bill	HM Forces certificate of employment
Wage slips from current employer	NHS medical card
Home Office acknowledgement letter	Marriage Certificate
Passport	Bank statement (if dated within last 4 weeks)
Credit card	

Proof of income

If employed, the tenant must provide wage slips covering five consecutive weeks (if paid weekly), three payments (if paid fortnightly), or two months (if paid monthly), OR the tenant can provide a letter from their employer on official company paper which must include the following:

- The name and address of the employer.
- The number of hours worked and the period covered.
- Gross income in year to date.
- Gross income for the pay period.
- Income Tax deducted for the period.
- Income tax deducted for the year to date.
- National Insurance contributions deducted for the period and year to date.
- Occupational pension or personal pension contributors made by the employee.
- Method of payment, e.g. cheque, cash, direct to bank account.

If self-employed, the tenant must provide some form of accounts. If they have only just commenced self-employment, or no acceptable accounts are available, other information is needed so that an estimate of earnings can be calculated. In this instance, they should contact the Council for advice.

If the tenant is on any form of benefit, we will need to see their benefit award notification letter showing the amount payable, or their bank or building society statement showing payments of benefits.

Proof of rent

This can be one of the following:

- Rent account
- Tenancy Agreement
- Rent book and letter from the landlord, which must include the following:
 - The name and address of the landlord and of the managing agent
 - The date the agreement started
 - The amount payable
 - What is included in the rent e.g. meals, gas, electricity
 - How often the rent is payable e.g. weekly/4 weekly/monthly
 - How long the tenancy will last
 - Details of rent already paid and the date of payment

Proof of capital

- Last 2 months consecutive bank/building society account statements
- Updated passbooks
- Stocks/shares/bond certificates
- Evidence of any property owned

Timely notification of Changes in Circumstances

Changes of circumstance must be notified to the Council immediately, and are usually effective from the following Monday after the change.

Tenants must tell the Council about any changes in circumstances which may effect their entitlement to benefit. These include the following:

- **If your tenant or their partner stop or start getting Income Support or any other state benefit**
- **If your tenant or anyone living with them starts work**
- **If your tenant or their partners wages go up or down**
- **If the number of people living with them changes**
- **If they move. This includes a flat or room at the same address**

Failure to report any changes that you are aware of that may effect entitlement could lead to prosecution

WHAT SUPPORT IS AVAILABLE

Notifications

Several procedures have been implemented to ensure that landlords who receive direct payments are kept informed of the progress of a tenants claim. The landlord will always be informed in writing, when:

- A decision on a tenant's Housing Benefit is made
- A tenant's entitlement ends due to a change in circumstance
- A tenants entitlement ends due to a change of address
- A tenants claim is not to be paid because the tenant has not provided sufficient information

What can you, as a landlord expect from the Benefits Service of Bracknell Forest Council?

This briefing note explains how the Benefits Service is structured and how services are delivered to both internal and external customers. It tells you what your tenant has to do to get Housing Benefit to help pay the rent.

It is important that both you and your tenant understand that payments of Housing Benefit don't change the nature of the contract between you. If you receive benefit payments for your tenant you should record this on the rent account, we tell your tenant about payments and tell them to keep a record as well.

The Benefits Service is made up of two distinct business areas, assessment & control. The assessment function relates to all aspects of the benefits service aimed at processing claims, management and quality control. The control function covers fraud, overpayment recovery & administrative requirements of the Benefits Service. In the last financial year benefits totalling approximately £26.5m was paid by the Benefits Service. We implement regulations pursuant to the Social Security Act, and act on guidance from the Department for Work and Pensions.

- ✓ Any benefit applicant is required to complete an application form which requests information about the householder and anyone else living there. An application form is essentially a statement of fact, and we expect to see **original** documents to support the application. We cross check information with data we already hold and query any information that is incomplete or inconsistent.
- ✓ We use a Document Image Processing system; we refer to this as either DIP or ICLipse. ICLipse is a system with which we view images of all the correspondence that is received by the Benefits Service. In short a document is 'scanned' and creates an image very similar to a photocopy, however instead of producing a piece of paper it produces an 'image' that we view on a PC.
- ✓ The advantage of this is that by indexing a document, and thereby associating it with a particular claim, any benefits officer can see all correspondence associated with that person since May 2001. We are therefore able to access information within seconds, and answer queries with all of the information that we have available.
- ✓ Work is allocated to Assessment & Pre-Assessment Officers on a daily basis for processing.

- ✓ If a customer or colleague needs to contact the Benefits Service we have a 'hunt' number, **352010**, this number rings in sequence in the Assessment team. With access to ICLipse it shouldn't matter who answers the phone because all of the information is freely available to Benefits Officers.

- ✓ If you need to escalate a query please ask our senior assessment officers first, if that fails either the Assessment Team Manager or the Service Manager should be consulted

- ✓ Personal callers to Time Square continue to be seen initially by Customer Advisors who will either deal with the enquiry or pass it on to a benefits officer. If the customer needs help to fill in a form or needs some evidence verified a Pre-Assessor will see the caller. If the query relates to a benefit claim, or other advice is required an Assessment Officer will provide assistance. In all cases a personal caller should be given a receipt which details the reasons for their call and the actions we have taken. This protects everyone should a query subsequently arise.

- ✓ **We are 'open' to the public daily from 8:30 am until 5:00pm. In addition to the telephone the Benefits Service can be contacted in writing at PO Box 3781, Bracknell, RG12 1HJ, or by e-mail benefits@bracknell-forest.gov.uk**

- ✓ We are necessarily sensitive about disclosing information about benefit claimants; this is because we collect a lot of personal information about their family, income & capital. We collect this for statutory reasons & the person providing it can, reasonably, expect us to use it for the purposes of determining entitlement to Housing & Council Tax Benefit. We also have an obligation under the Social Security Administration (Fraud) Act 1998 to ensure, that we have identified a person as either the benefit applicant or their appointed representative. We have a 3rd Party Disclosure form that we find very effective when dealing with people, other than the benefit applicant, you will find a copy of it attached if you need to use it please duplicate it as you need it.

- ✓ Without 3rd Party Consent the information that we can provide is determined by the law, a landlord or his agent is entitled to know, in direct payment cases, the amount of benefit payable and the date that payment will begin and end.

- ✓ The Benefits Service is on the ground floor of Time Square and is part of Environment Culture and Communities.

- ✓ Payments **can** be made direct to a landlord, or his agent where:
 - the tenant has rent arrears of 8 weeks or more
 - at the request of the benefit claimant if the tenant is a Housing Association tenant **or** a private tenant if the date of claim is before 7th April 2008
 - If the tenant is vulnerable and has satisfied the criteria for Local Housing Allowance payments direct
 - the tenant has moved out and there are arrears of rent (in this case the Authority would require evidence to confirm)

- ✓ Overpayments – If there is a query, about an overpayment, it should be directed to the Assessment team. If there is a query about the manner or method of recovery it should be directed to the overpayment recovery officer.

- ✓ In the event that a decision to recover a benefit overpayment from a landlord or his agent is made, the landlord or his agent becomes a 'person affected'. In these circumstances the Authority is required by law to make a full disclosure of the facts relating to that overpayment, including the reasons why the overpayment occurred. In the event that there is an ongoing entitlement to benefit, and we are recovering that overpayment by deduction on a weekly basis, we are obliged only to notify the amount of benefit that will be paid. The applicant/tenant is notified that we will be making a deduction and told that payment of this amount, plus any other amounts due must be made directly to the landlord or agent.
- ✓ If recovery action is taken against a landlord or agent there is a right of appeal and guidance about how to appeal is provided as part of the notification letter. Additional information will be provided on request.

Your Obligations as a Landlord

Any person who is connected to a benefit claim, including, a landlord has a legal obligation to advise the Benefits Service of a Change of Circumstances that they could reasonably expect to affect entitlement to benefit. For example if a tenant leaves your property, and you know the tenant receives Housing Benefit, you must write to us to confirm that fact and if possible the date the tenant left.

We want to work with you to help make sure that your tenants keep their tenancy secure. Please follow the advice we've given, especially about disclosure of information it really will make both our jobs easier.

Bracknell Forest Council is committed to eliminating fraud and error from the Benefits system. We operate a 24 hour, free and anonymous telephone number called CheatChasers – if you know of anyone who you suspect of committing fraud please contact CheatChasers on 0800 590437

Bracknell Forest Council
Consent for Third Party Disclosure



The information that you have given to us in support of your application for Housing and/or Council Tax Benefit is confidential. The law requires *Bracknell Forest Council Benefits Service (BFCBS)* to confirm the identity of a benefit applicant whenever a request for information is made. We know that is it sometimes difficult for people to deal with their claim. Because the law is very strict about disclosure of information, we have to have your written permission to give information to somebody acting for you.

This form gives your permission, to *BFCBS*, to speak to the person named below about your benefit claim. Unless you specify otherwise we will assume that you give your consent to disclose details of **any** matter relating to your claim to the person named below.

This form is your consent to disclose information that is protected under the provisions of the Data Protection Act 1998.

Name
Address

Telephone number:

Our ref:

Please give us the name & address of the person you would like *BFCBS* to discuss your application with :

Name :

Address :

Date of Birth : ____ / ____ / ____

Telephone Number :

(We will ask this information for security purposes)

Please tick this box if you would like us to send letters about your claim to this person:

I give my permission to *BFCBS* to disclose, to the person I have named above, information relating to my benefit application. I have read and understand the notes at the top of this form. I agree to notify *BFCBS*, in writing, if I withdraw permission or decide to ask someone else to help me with my application.

Signature :

Date :

Please return this form to;
Bracknell Forest Council, Benefits Service, PO Box 3781, Time Square, Market Street
Bracknell RG12 IHJ