

More Information and Advice

If you require any further information please contact:

Benefit Section  
Finance Division  
Erewash Borough Council  
PO Box 2  
Wharnccliffe Road  
Ilkeston  
Derbyshire  
DE7 5SE



## Housing and Council Tax Benefit

### Your Guide to Absence away from home Erewash Borough Council 2009

If you require this information in your language, please contact the Council using one of the below methods.


“જો તમને આ માહિતીની તમારી પોતાની ભાષામાં જરૂર છે, તો નીચેની પદ્ધતિઓમાંથી એકનો ઉપયોગ કરીને કાઉન્સિલનો સંપર્ક સાધો.”


如果您需要自己语言的此信息，请通过以下方法之一与委员会联系。

“ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਹੇਠ ਲਿਖਿਆ ਵਿੱਚੋਂ ਕਿਸੇ ਇੱਕ ਤਰੀਕੇ ਦੀ ਵਰਤੋਂ ਕਰਦੇ ਹੋਏ ਸੰਗਲ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।”

اگر آپ کو اپنی زبان میں یہ معلومات چاہیں تو براہ کرم نیچے دی گئی طریقوں میں سے کسی ایک کا استعمال کر کے سہولت حاصل کریں۔

 **0845 907 22 44**

 **communications@erewash.gov.uk**

 Ilkeston Town Hall, Wharnccliffe Road, Ilkeston, Derbyshire DE7 5RP  
Long Eaton Town Hall, Derby Road, Long Eaton, Derbyshire NG10 1HU

0845 907 2244 Ext 3480

benefits@erewash.gov.uk

In certain circumstances Housing and Council Tax Benefit can continue to be paid during temporary absences away from home.

However **all** the following criteria must be satisfied:

- You must intend to return to the property
- The property must not be sublet
- The period of absence must not exceed 13 or 52 weeks, whichever is appropriate
- Liability for rent and/or Council Tax still exists
- Information and evidence must still be provided for the claim to continue

### **52 Week Rule**

- Those on remand in prison, probation hostel or bail hostel. However, if when sentenced the period of absence would exceed 13 weeks, benefit would cease.
- Those in a care home or independent hospital during periods of respite care.
- Those in hospital or receiving medically approved\* care.
- Those undergoing medical treatment or medically approved\* convalescence or their partner or child is undergoing this.
- Those undertaking medically approved care of someone else.
- Those caring for a child whose parent or guardian is receiving medical treatment or medically approved\* care
- Those following a government training course
- Students eligible for Housing and/or Council Tax Benefit i.e. study abroad
- Those absent due to fear of violence

“Medically Approved” means certified by a medical practitioner i.e. GP or nurse.

### **13 Week Rule**

- Those on a trial period in a care home
- Those absent from home for any other reason.

### **Counting the Length of Absence**

Period of absence is continuous. However a return to home, even for short while i.e. at least 24 hours starts a new period of absence.

### **Notification of Temporary Absence**

Those over 60 have a specific duty to notify us of an absence exceeding or likely to exceed 13 weeks. However it makes sense for everyone in receipt of benefit to notify us of all absences longer than a few weeks to avoid any difficulties which may arise if you are visited whilst you are absent.

### **How to Appeal**

If you disagree with the decision you can:

1. Ask us to explain the decision
2. Ask us to revise (change) the decision
3. Appeal against the decision

If you wish to appeal against the decision we have made, you must do so in writing within one calendar month of the date we notified you of the decision. You must also state why you think the decision is wrong,

Whenever you ask us to explain our decision, or to revise it, we will check all parts of your claim and advise you of how we came to the decision. In doing so, if we find anything wrong with the decision we made we will write to you with the decision and your right of appeal will start again.

If we do not change the decision in your favour we will send the case to the Tribunals Service which is an independent body who will look at each individual appeal in an impartial manner.