

Housing and Council Tax Benefit factsheet



This fact sheet is about complaints about housing benefit and council tax benefit. It should be read together with our general information leaflet about our service.

The Council is responsible for the administration of housing and council tax benefit in its local area. To do this, the Council has to work within the relevant law, regulations and government guidance. If you think that the Council has not followed the law, regulations or guidance, the Ombudsman may be able to help you with your complaint.

What the Ombudsman can do

He can:

- look at complaints that the Council failed to advise you properly of a benefit decision or your right of appeal against a decision.
- check that the Council has taken action to recover an overpayment of benefit from you fairly and by following the rules.
- consider issues like unreasonable delay, failing to recognise your appeal, failing to keep proper records, failing to communicate properly or making payment mistakes.

What the Ombudsman cannot do

He cannot:

- help you to make your claim.
- tell the Council to increase the amount of benefit you receive.
- tell the Council to reduce the amount of benefit that you owe.
- interfere in the Council's decision to take legal action against you for benefit fraud.
- normally look at a complaint where there is or was a right of appeal against a decision to the Independent Appeals Service.

Issues to bear in mind

You have a right of appeal in law against many housing and council tax benefit decisions. If you think that the Council is wrong to refuse you benefit, if the amount of your benefit payment is wrong or you are not responsible for an overpayment of benefit, you should write to the Council in the first instance. If the matter is still unresolved, you may have a right of appeal against the Council's decision to the **Independent Appeals Service**. You can contact them by telephone on **029 2066 2180**. More information can be obtained at www.appeals.service.gov.uk

Complaints about all other state benefits i.e. income support, job seekers allowance, disability living allowance, should be addressed to the **Parliamentary and Health Service Ombudsman**. You can contact them by telephone on **0345 015 4033**. More information can be obtained at www.Ombudsman.org.uk

Further information

Some councils have a Welfare Rights Service to help you with claims for the whole range of social security and local authority benefits and tax credits. You should contact your local council to find out if this service is available in your area.

You can also get free, independent advice about your welfare rights from your local **Citizens Advice Bureau**, details of which can be obtained at www.citizensadvice.org.uk

Cardiff Law Centre provides independent and free advice and support on a range of problems (including housing) for those living and working in the City and County of Cardiff only. You can contact them by phone on **029 2049 8117** or via the internet at www.lawcentres.org.uk. The Law Centres Federation also operates a Community Legal Advice helpline (which covers England and Wales) on **0845 345 4345** or via the internet at www.communitylegaladvice.org.uk.

You can find more detailed information about housing and council tax benefit at www.direct.gov.uk

The Ombudsman is independent and impartial; he cannot order public bodies to do what he recommends – but, in practice, they almost always do.

Examples of cases that the Ombudsman has looked at can be found on our website. Please see www.ombudsman-wales.org.uk

If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:

- **phone** 0845 601 0987;
- **e-mail** ask@ombudsman-wales.org.uk;
- **visit the website at** www.ombudsman-wales.org.uk;
- **write to:** The Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ