



Council Tax Reduction appeals

What to do if you think our decision about your Council Tax Reduction is wrong

What can I do if I think that your decision about my Council Tax Reduction is wrong?

When we make a decision about your entitlement to Council Tax Reduction, we will send you a reduction notification letter. This will tell you how we have worked out your reduction, and how much reduction you will receive or the reasons why you do not qualify for a reduction.



You should always read the reduction notification letter carefully to make sure that we have worked out your reduction correctly, because if we have made a mistake and we reduce your Council Tax too much, you may have to pay back any shortfall when an error is rectified.

You must let us know immediately if any of the information in the letter is wrong or missing. You should also inform us if you or your household's circumstances change within 21 days.

If you are not happy with our decision, you can:

- ask us to explain our decision
- ask us to look at your claim again (a revision).

After we have looked at your claim again (a revision), if you are still unhappy with our decision you can appeal directly to the Valuation Tribunal which is an independent body.

You must always ask us to look at your claim again before you can appeal directly to Valuation Tribunal, unless the Council fails to respond to your revision request within two months.

Ask us to explain our decision

If you do not understand your reduction assessment, please contact us straight away. You can ask us any questions you have, and we will explain the reasons for our decision. If you want to do this please contact us:

- at Hackney Service Centre, 1 Hillman Street, London, E8 1DY
- at **benefits@hackney.gov.uk**
- on **020 8356 3399**

There is no time limit to ask us for a revision.

Statement of reasons

You have the right to ask us for a written statement of reasons. This statement will explain, in writing, the reasons for our decision.

If you want a written statement of reasons, you must ask us for one within one month of receiving your reduction decision.

With Council Tax Reduction there is no time limit to ask us to review your decision.

Ask us to look at our decision again (a revision)

If you think we have made a mistake, or you have information and evidence which you believe will change our decision, you can ask us to look at the decision again. This is called a revision.

To ask for a revision you must write to the Revenues and Benefits department. You can only ask for a revision if you are a person affected by the decision.

You are a person affected if:

- you are the one who is claiming Council Tax Reduction; or
- you are someone the claimant has authorised; or
- you are someone who has the power of attorney to act on the claimant's behalf

There are no time limits to request a revision of your Council Tax Reduction decision. You can request a revision at any time.

When you ask for a revision, another officer will look at the claim. After reconsidering our decision, we will let you know in writing whether we have changed the decision or whether it will stay the same.

If we have not responded to your revision request within two months, or if we hold that our original decision is correct, you can then appeal directly to the Valuation Tribunal, who are an independent body.



Appealing against our Council Tax Reduction decision

If you believe our Council Tax Reduction decision is wrong you have a right of appeal to the Valuation Tribunal.

You can only do this after the Council has re-examined the original decision (a review), and upheld that it is correct.

You should therefore always ask for the Council to review its original decision before proceeding to appeal.

Any appeal must be submitted within two months of the date that the Council re-examined and upheld their original decision.

If the Council does not respond to your revision request within two months, then you can appeal direct to the Valuation Tribunal. You have up to four months, from the date of your request for a revision to do this.

You must always submit the appeal direct to the Valuation Tribunal; you cannot submit an appeal to the Council. If you try and appeal direct to the Council, we will not consider your appeal and will tell you to contact the Valuation Tribunal.

The appeal forms are available directly from the Valuation Tribunal or can be found on their website.

The contact details for the Valuation Tribunal are as follows:

Valuation Tribunal

CTR Team, Hepworth House, 2 Trafford Court, Doncaster DN1 1PN

mail: appeals@vts.gsi.gov.uk

If you have queries please phone the Valuation Tribunal on **0300 123 1033** or visit their website at **<http://www.valuationtribunal.gov.uk>**

The Valuation Tribunal cannot hear appeals about the contents of the Hackney Council Tax Reduction scheme. They can only hear appeals about the way the Council has applied the rules under the scheme to your individual case.

Appealing in general

There are certain decisions you cannot appeal against, which mainly involve core principles of the Council's scheme, for example the maximum amount of capital (savings and investments) which someone can have before they no longer qualify for Council Tax Reduction, or that working age claimants cannot receive more in Council Tax Reduction than 85% of their Council Tax Liability.

If you try to appeal against a decision that cannot be appealed, this is known as “out of jurisdiction” and it can not be considered. The Valuation Tribunal will tell you if they consider your appeal to be out of jurisdiction.

Here are some examples of issues which won't be out of jurisdiction:

- You may appeal against the start or end date of your claim
- You may appeal against the amount of income, savings we used to work out your benefit
- You may appeal against the number of people we have included on your claim
- You may appeal against the amount we say we have overpaid you

Special rules if you are receiving Pension Credit

If you are receiving Pension Credit, you should send any appeal against the income we used to work out your reduction to The Pension Service, not to us. You can contact The Pension Service on **0800 991 234**.

You should send your appeal to the Valuation Tribunal if it is concerning any other part of your Council Tax Reduction claim, for example the amount we have added back to your reduction in respect of a non-dependant.

Late appeals

With Council Tax Reduction, you must submit an appeal to the Valuation Tribunal within two months of the date the Council gave you its final decision.

If the Council fails to respond to your request for a revision within two months, you can appeal to the Valuation Tribunal directly if no more than four months have passed since you requested a revision (from the Council).

If you are outside the two month deadline, the Valuation Tribunal president may allow a late appeal, if he is happy that you missed the deadline for reasons beyond your control.

In all cases, the reasons for the delay must have meant it was not practical to make the appeal within the deadline. The forms to do this are available on the Valuation Tribunal website <http://www.valuationtribunal.gov.uk>

What happens next?

When the Valuation Tribunal receives your form, they will register your Council Tax Reduction appeal and send you a hearing notice saying when and where the hearing will be held.

Normally you will receive at least six weeks notice of the hearing date, although less notice may be given in exceptional circumstances.

After the hearing has been listed, the Council will send you a copy of the evidence it will be asking the Valuation Tribunal to hear about your Council Tax Reduction case. This should happen at least two weeks before the date of the hearing.

If you have any queries about the evidence the Council has sent you, or don't understand the Council Tax Reduction appeal process, or need a postponement, or have any other queries, you must contact the Valuation Tribunal directly.

If you are unable to attend the hearing, you can send a representative on your behalf, as long as you tell the Valuation Tribunal in writing that you give your permission for that person to represent you.

It is always preferable for you or a representative to attend the hearing so that you can answer any questions. But if you don't wish to attend the hearing and want it heard in your absence this is usually allowed if you tell the Valuation Tribunal at least two weeks before the hearing.

You would need to provide a written statement outlining the points you wish the tribunal to consider. In more complex cases the panel may consider that it cannot deal with your appeal without you being present, in which case it may adjourn the hearing so that you can attend.

If you do not come to the hearing, and have not told the Valuation Tribunal that you want it heard in your absence, the appeal will be struck out.

If you want to go to the hearing, but you cannot go on the arranged date, you can ask the Valuation Tribunal to postpone the hearing. However, the Valuation Tribunal will only agree to this in exceptional circumstances where you have good reasons for not attending. Normally the hearing will go ahead without you.

You can withdraw the Council Tax Reduction appeal at any time before the hearing by writing to the Valuation Tribunal.

What happens at the appeal hearing?

Normally appeal hearings are held in public, unless you have an exceptional reason for requiring a private hearing, and have requested this in advance.

The length of time a hearing takes varies from case to case, based on the amount of evidence, number of questions, and legal complexities. Normally eight hearings are heard in a day.

Your hearing will be heard by up to three lay members of the Valuation Tribunal,

however in more complex appeals a member from the First Tier Tribunal may sit with a senior member. The panel members will be independent of the Council and are completely impartial. There may also be a clerk present to advise on law and procedure.

You will be guided through the hearing, and both you and the Council's representative will present your cases. You will both have the opportunity to ask questions on the evidence, and the panel members may ask additional questions if they are unclear about anything.

You will normally be told the decision at the hearing, however if this does not happen you will be sent it within a month of the hearing. If you are successful the Council will amend your reduction accordingly.

If you have any additional needs with regard to disability or literacy you should inform the Valuation Tribunal in advance of the hearing. The Valuation Tribunal will try and accommodate any reasonable requests.

How much will an appeal cost?

There are no costs for going to the Valuation Tribunal, it is a free service. However, the Valuation Tribunal cannot reimburse expenses such as travel expenses, or loss of earnings due to attending the appeal. The Valuation Tribunal will try to hold the hearing at a venue which is within easy travel distance wherever possible.

Will the same process be followed if I am also unhappy with my Housing Benefit decision?

No, the process for appealing a Council Tax Reduction decision is completely separate to the process for appealing a Housing Benefit decision, and is governed by different rules, and heard by a different tribunal.



If you are unhappy with both your Housing Benefit decision and your Council Tax Reduction decision you will need to make two separate appeals. You cannot make one joint appeal covering both decisions.

A decision by the Valuation Tribunal is not binding on a Housing Benefit decision and does not mean that the same decision will be made on your Housing Benefit claim, and vice versa.

For more information about what to do if you are unhappy with your Housing Benefit decision please read our separate leaflet titled Housing Benefit appeals.

If you would like to find out what this document says please tick the appropriate box, put your name, address and phone number at the bottom of this page and return it to the address below.

Bengali

এই দলিলে কি লেখা আছে সে সম্পর্কে যদি আপনি জানতে চান তাহলে অনুগ্রহ করে উপযুক্ত বাক্সে টিক দিন, এই পাতার নীচে আপনার নাম, ঠিকানা ও ফোন নম্বর লিখুন এবং এটি নীচের ঠিকানায় ফেরত পাঠান।

Somali

Haddii aad jeclaan lahayd in aad ogaato waxa dokumeentigani sheegayo fadlan calaamadi godka ku haboon, ku qor magacaaga, cinwaanka iyo telefoon lambarkaaga boggan dhankiisa hoose ka dibna ku celi cinwaanka hoose.

French

Si vous désirez connaître le contenu de ce document, veuillez cocher la case appropriée et indiquer votre nom, adresse et numéro de téléphone au bas de cette page et la renvoyer à l'adresse indiquée ci-dessous.

Spanish

Si desea saber de lo que trata este documento, marque la casilla correspondiente, escriba su nombre, dirección y número de teléfono al final de esta página y envíela a la siguiente dirección.

Kurdish

Ger hun dixwazin bizanibin ku ev dokument çi dibêje, ji kerema xwe qutika minasib îşaret bikin, nav, navnîşan û hejmara telefona xwe li jêrê rûpel binivîsin û wê ji navnîşana jêrîn re bişînin.

Turkish

Bu dökümanda ne anlatıldığını öğrenmek istiyorsanız, lütfen uygun kutuyu işaretleyerek, adınızı, adresinizi ve telefon numaranızı bu sayfanın alt kısmına yazıp, aşağıdaki adrese gönderin.

Polish

Jeśli chcesz dowiedzieć się, jaka jest treść tego dokumentu, zaznacz odpowiednie pole, wpisz swoje nazwisko, adres i nr telefonu w dolnej części niniejszej strony i przeslij na poniższy adres.

Vietnamese

Nếu bạn muốn biết tài liệu này nói gì hãy đánh dấu vào hộp thích hợp, điền tên, địa chỉ và số điện thoại của bạn vào cuối trang này và gửi lại theo địa chỉ dưới đây.

Urdu

اگر آپ یہ جاننا چاہتے ہیں کہ دستاویز میں کیا لکھا ہے تو ازراہ کرم مناسب باکس میں صحیح کا نشان لگائے اور اپنا نام، پتہ اور فون نمبر اس صفحہ کے نیچے لکھئے اور اسے نیچے دیئے گئے پتہ پر واپس بھیج دیجئے

Chinese

如果你想知道這分文件的詳細內容，請在方框內打鉤，在本頁下面寫下你的名字、地址和電話號碼並寄到下面的地址。

If you would like this document in any of the following formats or in another language not listed above, please complete and send the form to the address below.

In large print

On Disk

In Braille

On audio tape

In another language, please state:

Name:

Address:

Tel:

Return to: Hackney Service Centre, 1 Hillman Street, Hackney, London, E8 1DY.