

Appeals procedures

Housing Benefit appeals will be heard by The Tribunals Service.

Council Tax Reduction appeals will be heard by The Valuations Tribunal.

All requests for an appeal must be made in writing. Separate appeals must be submitted for Housing Benefit and Council Tax Reduction even if you are in receipt of both.

Housing Benefit Appeals – The Process

The Tribunals Service

Your appeal will be decided at an appeal tribunal by The Tribunals Service. The Tribunals Service is an independent body. This means the tribunal is made up of people who are not connected with the local authority.

Appeal Tribunal hearings

There are two different types of hearing.

A **paper hearing**: The tribunal will consider the appeal in your absence based solely on the written evidence available.

An **oral hearing**: The tribunal will consider the appeal with you and/or the local authority present. You and the local authority have the right to be heard at the hearing.

Both parties have the choice of an oral hearing or a paper hearing. If neither party asks for an oral hearing then a paper hearing will be held.

The appeals tribunal will consist of one or two members. All tribunals will consist of at least one legally qualified panel member.

Who will be present at an oral hearing?

The one or two members of the appeals service who make up the tribunal.

The Presenting Officer (PO) representing the Local Authority.

The appellant (you) and/or your representative.

What happens at an oral hearing?

The appellant, or their representative, will present their evidence to the tribunal.

The Local Authority (LA) presenting officer will present the Local Authorities decision.

Any person who is entitled to be heard at the tribunal hearing may:

- address the tribunal
- give evidence
- call witnesses, and
- put questions directly to any other person called as a witness.

The tribunal will then consider the evidence and make a decision.

How will I know the result of the hearing?

A copy of a decision notice is sent or given to every party involved in the proceedings.

At an oral hearing the decision may be provided verbally, but it will be confirmed in writing as soon as possible after the hearing.

You may wish to take advice regarding your appeal from staff at the Citizens Advice Bureau. You can contact them at Citizens Advice Bureau, 1 Church Road, Southend-on-Sea, Essex SS1 2AL. Phone (01702) 610610.

Council Tax Reduction Appeals – The Process

If you do not agree with the outcome of our reconsideration on your Council Tax Reduction claim you have the right to appeal against our decision. (This must be done within 2 months of our decision letter)

Or

If you have requested a reconsideration of our decision against your Council Tax Reduction and we have not responded within 2 months of the date of your reconsideration

You have the right to take your appeal to the Valuations Tribunal.

You will need to contact the Valuations Tribunal direct and complete an appeal form online, The Local Authority can not appeal on your behalf for Council Tax Reduction appeals.

How do I appeal to the Valuations Tribunal?

By visiting their website www.valuationtribunal.gov.uk and completing their online appeal form,

If you wish to speak to a member of staff you can call 03001231033.

What happens next?

The Valuations Tribunal will contact the Local Authority and advise that an appeal has been made. The Local Authority will be requested to send evidence supporting the decision. This evidence will be looked at alongside the appeal.

How will my appeal be decided at the Valuations Tribunal?

The Valuations Tribunal will either make a decision based on the information in your appeal, or arrange a hearing which you can attend.

Please note: Even if you have appealed a decision, you must still make the payments shown on your council tax bill. If you are unable to make these payments you should contact the Council Tax department on 01702 215001 as soon as possible to discuss payment options