

Full Name and Title

Your Address

(and the address of  
Claim if different)



Your Phone Number

You do not have to provide your telephone number, but it will make it easier for us to contact you quickly if you do.

Home:

Mobile:

Are you:

The claimant?

The Landlord?

Other?

Tick the relevant box

If you are not the claimant, who is the claimant, and if you are not the landlord, what is your relationship to the claimant?

### Your Representative's Details

(We advise you to get their help with completing the rest of this form)

"I give Leicester City Council permission to disclose personal information relevant to my Housing Benefit appeal to the person I have stated to be my representative, below. I will let you know if I want to change this arrangement" Yes  No

Name, address and  
telephone number of  
your representative

You do not have to provide your representative's telephone number, but it will make it easier for us to contact them quickly if you do.

### Your Appeal Details

Date of our letter informing you of the decision you are appealing against

Describe the nature of the decision are you appealing against?

**Your Appeal Details** *(Continued)*

**What do you think is wrong with our decision?**

Tell us about any misjudgements or mistakes of fact or law

If you need to continue on a separate sheet, put your name and address at the top and sign and date it

Any personal information that you provide will be processed in accordance with current Data Protection laws. It will be used by Leicester City Council and our partners to deliver and improve services and fulfil our legal duties. We will not disclose any personal information to anyone else unless required or allowed to do so by law. Read more about how we use personal data in our Fair Processing / Privacy Notice on our website: [leicester.gov.uk](http://leicester.gov.uk).

Your Signature	
----------------	--

Date	
------	--

# Guidance Notes

## Your appeal

You can only win an appeal if you can show that the decision we have made is based on facts which are incorrect, or can produce new facts which would affect the decision and which have not been taken into account, or you can show that the Housing Benefit regulations would allow us to come to a different decision. These are all technical issues and nothing to do with what is fair or reasonable.

## Professional advice

It is advisable always to consult a welfare rights organization before completing this form for their advice on these technical issues. An experienced and competent Welfare Rights Advisor can look at your case and either advise you that the decision we have made is correct or quickly pinpoint any weaknesses in our case which would give you a chance of winning, or actually identify an error. For additional help including contact information for advice agencies visit: [www.leicester.gov.uk/benefitsadvice](http://www.leicester.gov.uk/benefitsadvice)

## A Careful check before the appeal

If we have not already done a review of our decision, this will be done automatically when we receive your appeal form. If your advisor has already found an error, then we will change our decision so that an appeal may not be necessary. Our Appeals officers will also examine your case very carefully and if they find any errors will always ask for the decision to be revised. Only if they are sure our decision is correct or see the decision as reasonable even if open to argument will they submit the case to the Tribunal Service.

## Which decision?

When completing the form you must clearly identify the decision you are appealing against by giving the date of the decision and a description. There are boxes in Part 3 for both these items.

## What's wrong with it?

You must also say exactly what mistake you think we have made in terms of the facts, and the regulations. Housing Benefit Appeals are not decided on emotional issues. They are not decided on what might seem "fair" or "reasonable", and neither will the Tribunals Service be able to take your financial difficulties into account. You must stick to the facts and the technical issues, which is why it is so important to get professional advice.

## Do it yourself

Finally you must sign the form yourself. Your representative cannot sign it on your behalf. Ideally the form should be completed and signed by you. Your advisor can tell you what to say, or even compose your statement for you, but it should at least look as if you had written or typed it yourself. It should read "I wish to appeal etc" not "I am appealing on behalf of my client", or "my client wishes to appeal" The regulations say that the appeal must be made by the appellant and must be signed by the appellant, so this is how it should be.

# Additional information

Your appeal must be sent to us, in writing. This form needs to be returned within one month of the date of your award letter or within 13 months with an explanation for the delay.

We will send your appeal to the Tribunals Service with the relevant documentary evidence. A copy of this will be sent to you and your representative, if you have one, as soon as possible. Your copy of the papers for your appeal will be sent to the Tribunals Service. They will contact you directly.

If you do not want your appeal to go ahead, please let us know in writing ensuring that that you have signed this statement.

The administration of the Tribunals Service is undertaken by the HM Courts & Tribunals Service. The tribunal itself, however, is fully independent. At the tribunal, a legally qualified chairman, either a solicitor or barrister, will look at your appeal to see whether the decision should be changed or stay the same. The hearing will take place as soon as possible. The Housing Benefit section will present the council's case to the tribunal.

You have the right to attend the tribunal hearing to put your case in person if you want to. When you are putting forward an appeal to the tribunal you also have the right to:

- a) have other people come to the tribunal to give evidence on your behalf
- b) put questions to any other person who gives evidence at the tribunal
- c) have one other person to be with you or to represent you at the tribunal.

This appeals procedure is entirely free of charge (apart from any expenses involved if you decide to get professional advice or representation). The Tribunals Service may pay some of your expenses, e.g. travel costs to get to and from the tribunal hearing.

Neither the Tribunals Service nor a local authority has the power to award costs, either for or against someone, whether they are successful or unsuccessful in the appeal hearing.

For additional help including contact information for advice agencies visit:

[www.leicester.gov.uk/benefitsadvice](http://www.leicester.gov.uk/benefitsadvice)