



Leaflet MCL12

A guide to Housing Benefit/Council Tax Benefit and Council Tax for Students



Merseyside authorities working together

This leaflet is one of a series produced by a number of Merseyside authorities to help you understand Housing Benefit and Council Tax Benefit. It is a general guide. People have different circumstances, so please contact us if you need more detailed advice. Addresses are on the back of this leaflet.



Knowsley Council
www.knowsley.gov.uk



The City of Liverpool
www.liverpool.gov.uk

Sefton Council 
www.sefton.gov.uk

 **WIRRAL**
www.wirral.gov.uk

FIGHT FRAUD – PLAY YOUR PART

Benefit Thieves take money from your pocket. Don't turn a blind eye and let them get away with it. If you know or suspect a Benefit Thief, report it in confidence. You do not have to give your details.

Call FREE on **0800 0730532** or use the simple Online Form at **www.knowsley.gov.uk**

You can also get this information in other formats and languages. Please phone **0151 443 4031** or email **customerservices@knowsley.gov.uk**

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Introduction

This leaflet is designed to help students understand Housing Benefit/Council Tax Benefit and their responsibilities and liability for Council Tax.

Part A - Housing Benefit and Council Tax Benefit

1. Can students claim Housing Benefit and Council Tax Benefit?

Most full-time students cannot claim Housing Benefit because the Government expects them to use other money like their grant, student loan or access funds to pay their rent. The Housing Benefit and Council Tax Benefit Regulations tell us that a student is a person who is attending a course of study at an educational establishment.

2. Which students can claim Housing Benefit and Council Tax Benefit?

You may be able to claim if you are in one of the categories listed below:

- Lone parents
- People who get Income Support or income-based Jobseeker's Allowance - if you are getting these benefits you will automatically be entitled to claim Housing Benefit
- Disabled students (students receiving Incapacity Benefit or Disability Living Allowance and those who have been awarded a Disabled Students' Allowance because of their deafness)
- Students aged under 19 - following a course of further education (but not higher education)
- Students with a partner who is also a full-time student, and who have dependent children
- Students with dependent children, or those who are solely responsible for a child boarded out by a local council or voluntary organisation (including foster parents)

- Students who take a break in their studies because of a spell of illness, or caring for someone who is ill or disabled
- Pensioners - if you are aged 60 or more
- Part-time students.

If you are not sure whether you can claim, you can always contact us for advice. See the back of this leaflet for details.

3. Can students from abroad claim Housing Benefit?

If you are a student from Europe, you can only claim Housing Benefit if you fall into one of the categories of students listed earlier. See section 2.

If you come from outside Europe you will probably not be able to claim any Housing Benefit, even if you are in one of the groups of students who can. It depends on the conditions under which you came into this country.

For any student from abroad we will need information about your immigration status before we can deal with your claim.

4. Can student nurses claim Housing Benefit?

Students funded by the National Health Service can claim Housing Benefit under the same rules that apply to other students.

5. I have to maintain two homes – one at college and one at home. Can I claim Housing Benefit?

You may be able to claim Housing Benefit but it depends on your circumstances. You should check with us. See the back of this leaflet for details. If your property at home is left unoccupied whilst you are at college you can apply for an exemption from the Council Tax, provided that when it was last occupied it was your sole or main residence and that no one else, other than students lived there.

6. If I am a student who can claim Housing Benefit, how much will I get?

How much you will get varies, depending on your income. The only student income counted for benefit purposes is the student loan, the Adult Dependants Grant and certain bursaries. We will work out your income as if you get the full amount of student loan available to you, even if you don't actually receive it all. We ignore the first £10 of this money. Students who get a bursary for nursing or midwifery diploma courses cannot get a student loan, so we don't have to count any loan income.

For non-diploma nursing students we count any grant and the full amount of loan income in the same way that we do for students in general.

7. How do I claim benefit?

Just fill in one of our claim forms. Claim forms are available from our One Stops Shops, website or by calling our Contact Centre.

8. What proof do I need to give you?

As well as your completed claim form, we need the following things to assess your claim.

- A copy of your student support assessment
- Proof of all other income and savings
- Full details of your course, including term dates and which year of study you are in
- Proof of your rent
- Proof of your identity and National Insurance number
- Your last two original monthly bank statements.

The claim form tells you what we need, but if we need more information we'll write to you and ask you for it.

9. What can I do if I don't agree with your decision?

If you don't agree with our decision, you can ask us to look at it again. Our letters tell you what your rights are.

Part B - Council Tax

10. I live in a property with other students. Will we have to pay Council Tax?

No, you won't normally have to pay Council Tax. If you are in a property that only students live in, you can claim an exemption from Council Tax. To do this, everyone in the property must provide their student certificates and a copy of the tenancy agreement to us. Details are at the back of this leaflet.

If we do not receive certificates for everyone in the property, we will issue a Council Tax bill.

For the purposes of Council Tax exemptions a student is someone who is:

- Undertaking a full time course of education where the course lasts at least one academic or calendar year. The student is required to study for at least 21 hours per week for 24 weeks at a prescribed educational establishment, for example: a university or college of further or higher education
- Under the age of 20 years and remains in further education. The course must last for at least 3 months during which the student is required to study for more than 12 hours per week
- A practising foreign language assistant who is registered with the Central Bureau for Educational Visits and Exchange
- A student nurse in full time education
- School or college leavers who leave after the 30th April of an academic year qualify as students until 1st November in the same year
- A person who is not a British citizen and is the spouse or dependant of a student and is prevented by immigration regulations from taking paid employment or from claiming benefits.

11. I live in a hall of residence. Will I have to pay Council Tax?

No, you won't normally have to pay Council Tax. If you are a student living in a hall of residence provided by your university or college, the property is exempt from Council Tax.

12. I share my accommodation with other people who are not all students. Will I have to pay Council Tax?

No, you cannot be classed as jointly liable. The non-students will be jointly and severally liable for the Council Tax. The non-students in the household can claim benefits based on their income. If there is one or more student(s) and one non-student living in a property the non-student can claim a 25% discount from the Council Tax. A student discount form would need to be completed. Forms are available at all of the One Stop Shops, from our website, or you can telephone our Contact Centre and ask for a form.

13. I'm a student from abroad and my partner is living with me. Do we have to pay Council Tax?

You may or may not have to pay Council Tax. You may be able to claim a full exemption from Council Tax. To qualify for this exemption your partner must be prevented from working or claiming benefits in this country. We will want to see your student certificate, visa and both passports.

14. What happens when students live in a property which is classed as a House in Multiple Occupation?

If a property is occupied by more than one family unit, where the residents pay rent separately for different parts of the property and perhaps share cooking or bathing facilities, the property may be classed as a house in multiple occupation.

The owner of the property is the liable person for Council Tax where the property is classed as a house in multiple occupation. The owner could apply for a property exemption, if the property is occupied wholly by students. Proof of student status would be required in the form of student certificates from all occupants and a copy of the tenancy agreements.

15. What happens if one of the students moves out of the property?

You will need to let us know of any changes in the occupants of the property. If a new occupant moves in and they are a student, proof of their 'student status' must be provided.

We will need to see their student certificate and the new tenancy agreement.

16. What if students leave a property empty during holidays?

If the property is used as term time accommodation, it will be regarded as being exempt during holiday periods if the students own or rent the property and have previously used or intend to use the property as term time accommodation.

17. How do I apply for a student exemption/discount?

Your application must be made in writing. Forms are available at all of the One Stop Shops, from our website, or you can telephone our Contact Centre and ask for a form.

18. If I am unhappy with your decision, can I appeal?

If your application is refused you can appeal against our decision. Your appeal must be made in writing direct to us. You must give the reasons for your appeal and provide any supporting evidence.

We will look at our decision again and let you know if we are going to allow your appeal. If we decide not to allow your appeal, you have the right of a further appeal to an independent tribunal.

19. Where can I get help?

You can always phone us for help and advice. See the back of this leaflet for details. Or you could contact your university or college. They might have an advice centre where you can get help. Otherwise, you could contact your local Citizens Advice Bureau or other advice services. Details are in your local phone book.

Leaflets and where to get them

All of these leaflets are available free of charge. You can get them from the One Stop Shops, Citizen Advice Bureaux and libraries. You can also download copies on www.knowsley.gov.uk.

For your ease, all of the leaflets have a reference to identify them:

MCL1	Starting Work
MCL2	Help with Rent
MCL3	Help with Council Tax
MCL4	How to claim Housing Benefit/Council Tax Benefit
MCL5	Help with Disputing a Benefit Decision
MCL6	Information for Landlords
MCL7	Housing & Council Tax Benefit Discretionary Housing Payments
MCL8	Housing & Council Tax Benefit for Young People
MCL9	Second Adult Rebate
MCL10	Council Tax Discounts and Exemptions
MCL11	Council Tax Disabled Relief
MCL12	Students



How to contact us

Information relating to the services which the Council provides and how to contact the various departments can be obtained from any Branch Library or One Stop Shop

In person: Please call at:

Huyton One Stop Shop
Municipal Buildings
Archway Road
Huyton
Merseyside
L36 9XJ

Kirkby One Stop Shop
Municipal Buildings
Cherryfield Drive
Kirkby
Merseyside
L32 1TX

Prescot One Stop Shop
Prescot Shopping Centre
Aspinall Street
Merseyside
L34 5GA

Halewood One Stop Shop
5/21 Ravens Court
Leathers Lane
Merseyside
L26 0UP

One Stop Shop opening times:

Monday to Friday 9.00am to 5.00pm

Saturday 9.30am to 1.00pm (Huyton, Kirkby and Prescot offices only)

By post: Please write to:

Housing Benefit Section
Knowsley Borough Council
Municipal Buildings
Cherryfield Drive
Kirkby
Merseyside
L32 1TX

By telephone:

Please ring contact centre on
0151 443 4042

By e-mail:

benefits@knowsley.gov.uk

By fax:

0151 443 4142

Disabled access is available at all of the One Stop Shops. The following facilities are available:

- Wheelchair/pram access and lowered desks
- Minicom telephone system for hearing impaired people. Please dial: 0151 443 4248
- Advisors trained in British Sign Language (up to Level 2)
- Access to BTs language line through which we can contact an interpreter in minutes
- Private interview rooms
- Friendly staff who are happy to assist