

**DIRECTION OF EAST DEVON DISTRICT COUNCIL UNDER THE HOUSING BENEFIT AND COUNCIL TAX BENEFIT (ELECTRONIC COMMUNICATIONS) (MISCELLANEOUS BENEFITS) ORDER 2006 AND COUNCIL TAX REDUCTION SCHEMES (PRESCRIBED REQUIREMENTS) REGULATIONS 2012**

East Devon District Council, ('the Authority) in accordance with:

- Schedule 11 to the Housing Benefit Regulations 2006
- Schedule 10 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
- Schedule 9 of the Council Tax Benefit Regulations 2006
- Schedule 8 of the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
- Sections 101 to 106 of the East Devon District Council Council Tax Reduction Scheme Policy for Council Tax Support applications, enabled by the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012

hereby make the following directions-

1. An individual who, in accordance with the 2006 Regulations makes a claim for Housing Benefit or Council Tax Benefit under the Social Security Contributions and Benefits Act 1992 or Council Tax Support under the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012 or provides information to amend or change a claim once awarded is authorised to do so by an electronic communication, provided that the individual uses the method approved by the Authority in relation to the claim.
2. The methods and form set out, at the time of, and for the purposes of, the delivery of such a claim as referred in paragraph 1, on the Authority's website, are respectively-
  - (a) The methods approved by the Authority for-
    - I. Authenticating the identity of the individual making the claim;
    - II. Submitting the claim;
    - III. Authenticating the claim delivered; and
    - IV. Electronic communication
  - (b) The form approved by the Authority in which the claim is to be delivered.
3. The methods for the purpose of making a claim, as referred to in paragraph 2 is:
  - a. On-line application form available on the council's website [www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)
  - b. By Visiting Officers of the Benefits Service gathering customer information for new claims, amendments and change of circumstances on East Devon Council equipment with approved electronic forms for electronic submission for processing within the Benefits Service.
  - c. By an assisted e-benefits phone or face to face interview with an officer of the Authority or a person acting as an agent are received in the Authority's official benefits computer system.

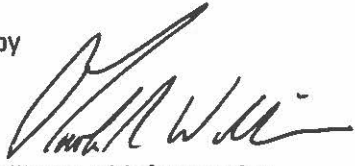
Authentication of the identity of the individual making the claim will be carried out before the claim is decided. Authentication of the information supplied will be carried out before

the claim is decided. Any communication where the Authority is unable to authenticate the identity of the sender shall be deemed invalidly made.

4. An individual who in accordance with the 2006 Regulations reports a change in circumstance for Housing Benefit and/or Council Tax Benefit under the Social Security Contributions and Benefits Act 1992 or for Council Tax Support under the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012 is authorised to do so by an electronic communication (as defined by Section 15(1) of the Electronic Communications Act 2006), provided that the individual uses the method approved by the Authority.
5. The methods for the purposes of reporting a change in circumstance, as referred to in paragraph 4 are:
  - a. Notification via the council's website
  - b. Telephone to the published telephone number
  - c. Face to face assisted interview with an officer of the Authority or a person acting as its agent
  - d. Email to [benefits@eastdevon.gov.uk](mailto:benefits@eastdevon.gov.uk)
  - e. Electronically through Jobcentre Plus agreed methods
  - f. Electronically through The Pension Service agreed methods
6. A notification, made in a method outlined in paragraph 5 above will be regarded as being made on the date that it is received by East Devon District Council. Jobcentre Plus or The Pension Service whichever is the earlier, provided it complies with the requirements publicised.
7. East Devon District Council may require further information or supporting documentation in connection with the report change in circumstance before the claim for Housing Benefit, Council Tax Benefit or Council Tax Support can be revised.
8. Electronic communication received after 5pm Monday to Friday or on a Saturday or Sunday will be treated as though they are received on the following working day. Monday to Friday are deemed to be working days except where they are statutory holidays or the Authority has decided that the offices will be closed to the public for whatever reasons.
9. An individual who submits an electronic claim or notification of a change of circumstances must keep a record of all communications with the council in either written or electronic form. Failure to provide such evidence, upon reasonable request by the Authority, may be deemed to show that an electronic communication was not successfully made. Additionally this could weaken their defence against an overpayment recovery decision or prosecution.
10. The Authority's official computer system for purposes of recording the information relating to electronic communications is provided by Capita for Revenues and Benefits, Civica is the Authority's integrated document information and workflow system and is also regarded as

an official computer system for the purposes of recording information relating to electronic communications.

Signed by

A handwritten signature in black ink, appearing to read 'Mark Williams', written over a horizontal line.

Mark Williams, Chief Executive

Dated 30/4/14

