What to do if you think your Child Tax Credit or Working Tax Credit is wrong

This factsheet tells you what to do if you think a Child Tax Credit or Working Tax Credit decision or penalty is wrong.

If you're not happy with a tax credits decision, you can ask us to look at it again. You'll normally have to do this within 30 days of the date of our decision.

Mandatory reconsideration

If you think that something on your award or penalty notice is wrong, contact us within 30 days of the date of our decision so that we can look at the original decision again. We call this 'mandatory reconsideration'. When we have looked at the decision again we will send you a Mandatory Reconsideration Notice explaining what we've done. This will include all the information you need to appeal to an independent tribunal if you're not happy with our decision. We will put any recovery action on hold while we carry out the reconsideration or while your appeal is being considered.

When you can ask us to reconsider

The decision letter we sent you will tell you if you can ask us to look at our decision again. You can do this when:
• you think a decision is wrong
• your award doesn't take into account a change of circumstances
• your award is reduced or has stopped
• you don't agree with a penalty notice
• you've been charged interest

When you can’t ask us to reconsider

You can't ask us to reconsider a decision asking you to pay back an overpayment. But, you can ask us to look at our decision again if you think the amount of tax credits you were awarded in the first place was wrong.

Although you can't ask us to reconsider a decision asking you to pay back an overpayment, you can dispute an overpayment if you think that we gave you wrong advice.

Usually you have to dispute recovery of an overpayment within 3 months from the date of:
• your final decision notice
• the decision on your Annual Review notice (if your award is renewed automatically)
• your Statement of Account
• the letter which gives you our decision on your mandatory reconsideration
• the letter from the Tribunal or Appeals Service which gives you their decision on your appeal

You can only dispute recovery of an overpayment that happened in the tax year the notice or letter relates to. You will not normally be able to dispute overpayments from earlier tax years.

We will only accept a late dispute in exceptional circumstances, for example, if you were in hospital for that 3-month period. If you do send us a dispute, we will continue to seek recovery of the overpayment while we are considering your dispute.

Help

If you would like more help:
• go to www.gov.uk/browse/benefits/tax-credits
• phone the Tax Credit Helpline on 0345 300 3900
• textphone the Tax Credit Helpline (for people with hearing or speech difficulties) on 0345 300 3909
• write to us at Tax Credit Office PRESTON PR1 4AT

For our opening hours, go to www.gov.uk/hmrc/contact or phone us.

When you contact us, please tell us your:
• full name
• National Insurance number
• daytime phone number

Independent advice

You can get help and free independent advice from a number of different organisations.

Citizens Advice

For:
• England
• Wales
• Northern Ireland

go to www.citizensadvice.org.uk

For Scotland, go to www.cas.org.uk

Civil Legal Advice, a national advice line for England and Wales

For advice:
• go to www.gov.uk/civil-legal-advice
• phone 0345 345 4345
• textphone the helpline on 0845 609 6677 (for people with hearing or speech difficulties)

Some of the organisations also have local offices which are listed:
• in the business section of ‘The Phone Book’
• in ‘Yellow Pages’
• at a public library

You can also get advice from:
• your trade union
• a solicitor, an accountant or a tax adviser – but you’ll have to pay for this
You can dispute an overpayment by:
• filling in form TC846, ‘Tax credits overpayment’ – go to www.hmrc.gov.uk/forms/tc846.pdf or if you do not have access to the internet, phone our helpline
• writing to us at the address shown under ‘Help’ on page 1 of this factsheet
In some cases we can revise an incorrect award up to 5 years later, but only where we made a mistake, it would be in your favour and it was mostly our fault. We call this ‘official error’.

If you are having difficulty paying back an overpayment, you can ask us to look again at the payments we've asked you to make. Our leaflet COP26, 'What happens if we've paid you too much tax credits' tells you more about this and how to dispute recovery of an overpayment including the time limits. Go to www.hmrc.gov.uk/leaflets/cop26.pdf or if you do not have access to the internet, phone our helpline.

Who can ask for a reconsideration
Usually the person who made the claim or who's been getting the tax credits can ask for a reconsideration. If you claim as a couple, only 1 of you needs to do so.
You can ask an independent adviser to help you. If you're an appointee and claim tax credits on behalf of someone else, you can ask for the reconsideration for them.

How to ask us to reconsider
Your request needs to be in writing.
You can:
• fill in and send the attached reconsideration form to us
• send us a letter
  - you must put your name, National Insurance number and write ‘Reconsideration’ at the top of your letter
  - tell us which decision you want us to look at again and what you think is wrong
  - tell us the date of the decision you want us to look at again
Remember, you must include all original copies of evidence that supports your mandatory reconsideration. Failure to do so may result in our decision remaining unchanged.
Please send your completed reconsideration form or letter to the address on the decision letter or the address shown under ‘Help’ on page 1 of this factsheet.

Deadline for asking us to reconsider
Normally, you have to ask for a reconsideration within 30 days of the date of our decision. In special cases we'll give you more time, but you will need to tell us why your request is late. We can’t accept a request to reconsider which is dated 13 months or more after the date of our decision.

What happens next
We’ll look at the decision again and explain it to you, including any changes we have made. We’ll write to you to explain the law and the facts we used to make our decision on your reconsideration request. If you’re happy with the explanation, you don’t need to do anything else.
If you still don’t agree with our decision, you will need to appeal directly to an independent tribunal; the Mandatory Reconsideration Notice explains how to do this.
The tribunal will be run by HM Courts & Tribunals Service in England, Scotland and Wales or the Appeals Service in Northern Ireland. For more information, go to www.justice.gov.uk

If your circumstances change
If anything changes that could affect your tax credits payments, you must tell us straightaway.

Yr Laith Gymraeg
Ffoniwch 0300 200 1900 i dderbyn fersiynau Gymraeg o ffurflenni a chanllawiau.

Complaints
For information about our complaints procedure, go to www.gov.uk/complain-to-hm-revenue-and-customs

Your rights and obligations
‘Your Charter’ explains what you can expect from us and what we expect from you. For more information go to www.gov.uk/hmrc/your-charter

We have a range of services for disabled people. These include guidance in Braille, audio and large print. Most of our forms are also available in large print. Please contact our helplines for more information.

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Please fill in this form if you want us to look at our tax credits decision again.
Do not use this form if you want to dispute our decision to recover a tax credits overpayment.

About you

1. Full name
   Title – enter Mr, Mrs, Miss, Ms or other title
   [Name]

2. Address
   [Address]
   Postcode

3. Daytime phone number including dialling code
   [Phone number]

4. Date of birth  DD MM YYYY
   [Date]

5. National Insurance number
   [Number]

About your reconsideration

6. Do you have a representative helping you with this request, such as a relative or Citizens Advice?
   No [ ] If No, go to question 7
   Yes [ ] If Yes, please answer the following questions
   Their full name
     First name
     Surname or last name

   Their address
     [Address]
     Postcode

   Please sign here to authorise this person to act for you

   Do you want us to send all correspondence to your representative?
   No [ ] Yes [ ]

   Please note that this authority to act on your behalf is only valid for this reconsideration request.

7. What is the date of the decision you want us to look at?
   This is the date on the decision letter we sent you.
   DD MM YYYY
   [Date]

8. Have you or your partner, if you have one, also asked us to look at a Child Benefit or Guardian’s Allowance decision again?
   By partner we mean a person you are:
   • married to
   • in a civil partnership with
   • living with as if you are married or in a civil partnership
   No [ ]
   Yes [ ] If Yes, what was the date you asked for a Child Benefit or Guardian’s Allowance reconsideration?  DD MM YYYY
   [Date]
Asking for a mandatory reconsideration

Please use the space below to tell us why you do not agree with the decision.

Remember:
- you need to say why you think the decision is wrong - if you think that the information we have is wrong please tell us what you believe is the right information
- if you are asking us to look at more than 1 decision again, please tell us the date of each one, and give reasons why you disagree with each one
- if you are asking for a reconsideration more than 30 days after the date of our decision, please say why your request was delayed
- if you need more space, use another sheet of paper - please put your name, National Insurance number and write ‘Reconsideration’ at the top of any extra sheets of paper
- you must include all original copies of evidence that supports your mandatory reconsideration - failure to do so may result in our decision remaining unchanged

Why I do not agree with the decision

Sign and date

If someone has been officially appointed to act for you (an appointee), they should sign on your behalf.

Signature

Date  DD MM YYYY

Remember, this authority to act on your behalf is only valid for this reconsideration request.

If you want an intermediary to act on your behalf about all your tax credits and/or Child Benefit matters, you will need to fill in form TC689, ‘Authority for an intermediary to act on your behalf’. Go to www.hmrc.gov.uk/forms/tc689.pdf and fill in the online form and return it to us or if you don’t have access to the internet, phone our helpline.

What to do now

Please make sure you have filled in all of this form and signed it.

Tear off the completed reconsideration form and send it to the address at the top of our decision letter.

Remember your reconsideration request must reach us within 30 days of the date of our decision letter.