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7 June 2022

Dear Sally,

Draft Winter Heating Assistance (Low Income) (Scotland) Regulations

I enclose a copy of the draft Winter Heating Assistance (Low Income) (Scotland) Regulations, made under sections 30(2), 41(4)(a), 43(5) and 52 of the Social Security (Scotland) Act 2018, along with an explanatory policy note. I am pleased to provide SCoSS with the formal request for scrutiny of these draft regulations. Draft impact assessments will follow shortly to assist SCoSS with its scrutiny of the draft regulations.

These draft regulations set out the detail of how our new Low Income Winter Heating Assistance (LIWHA) benefit will support individuals on low incomes once introduced this winter.

LIWHA replaces the UK Government's Cold Weather Payments (CWP) in Scotland and will provide those in receipt of a qualifying benefit with a single guaranteed annual payment of £50 every winter. This is the equivalent to two payments of CWP but will not require periods of sustained cold weather to trigger the payment. Our key aim is to mitigate some of the impact of additional domestic heating costs in winter by providing targeted, reliable financial support to households with low incomes.

I am happy to provide you with 12 weeks to scrutinise the draft regulations and I would ask that SCoSS provide their scrutiny report on these regulations for w/c 29 August 2022. Of course, if you are able to provide a finalised report, along with any recommendations, at an earlier date, this would be helpful in ensuring that I have sufficient time to consider your recommendations before the regulations are laid in parliament in November.

Outcome of the Consultation on Low Income Winter Heating Assistance

I previously wrote to you to make you aware the consultation on LIWHA had been launched. The consultation ran between 1 December 2021 and 25 February 2022 and asked questions on the proposed policy: replacing occasional, weather-dependent payments of £25 to recipients of certain low income benefits with annual payments of £50 to the same people regardless of weather.

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We received 119 response to the consultation, providing us with a range of views from both organisations and individuals. In general respondents agreed with key policy proposal for LIWHA, the removal of weather dependence, but felt the value of the payment should be higher. They also want to retain some of the current responsiveness of CWP to additional need in some circumstances, or at least to provide flexibility throughout the winter period either through multiple assessments of eligibility and/or multiple or additional payments.

At the same time a separate piece of research was carried out to ask members of our Social Security Experience Panels for their views on the key policy options for this new benefit. In total, 288 members chose to complete the survey exploring this topic. Of those Panel members that responded;

- 82% agreed with the plan to replace Cold Weather Payment with a new benefit in Scotland;
- 87% agreed that a new benefit replacing Cold Weather Payment is a good way to help towards winter heating costs for people on low incomes;
- 90% agreed with the plan to remove the need for a 'cold spell', a component of the eligibility for Cold Weather Payment, in order for people to receive the new benefit.

Since then my officials have instructed an independent research organisation, Between The Lines, to analyse the consultation responses and provide a report. This report is now completed (<http://www.gov.scot/ISBN/9781804355244>) and we have published it alongside the Scottish Government's response to the consultation this morning: <http://www.gov.scot/ISBN/9781804355251>. The Social Security Experience Panel report has also been published today: <https://www.gov.scot/isbn/9781804354735>.

As ever, I am grateful for your continued work in ensuring that devolved social security delivers a system that meets the needs of the people of Scotland.

Best regards,



BEN MACPHERSON

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