

Low Income Winter Heating Assistance (LIWHA): Analysis of Consultation Responses

Final Report

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Executive Summary

Introduction

The Scottish Government has committed to replacing the UK Government's Cold Weather Payment (CWP) of £25 for every 7 day period of very cold weather. From winter 2022, the proposed Low Income Winter Heating Assistance (LIWHA) will see a new £50 winter heating payment paid annually to those low income households currently eligible for the CWP, regardless of the weather.

The consultation on the introduction of LIWHA was open from 1st December 2021 to 25th February 2022 and received 119 responses. The 38 consultation questions covered the format, amount and timing of the payment, the removal of the cold spell criteria, eligibility and qualifying criteria, the redetermination and appeals process, and the potential impacts of the policy. In addition, a stakeholder engagement event was held in January 2022.

Overview of proposals for LIWHA

There was broad support for the introduction of LIWHA. Seven in ten respondents (70%) agreed with the proposal to replace the CWP with a new benefit. One fifth (22%) disagreed and one in ten were either unsure or did not answer. Three fifths (61%) agreed that LIWHA is an effective way for the Scottish Government to tackle winter heating costs. One quarter (26%) disagreed and one in ten were unsure. Among the minority who disagreed, the most common view was that removing the cold spell criteria could make some households worse off under the new benefit than under the CWP. Other reasons included a concern that some low income households would miss out on the payment, that LIWHA does not help address fuel poverty, and that the proposed £50 payment is too small.

Just under half of respondents (48%) agreed with the proposed name of Low Income Winter Heating Assistance. Four fifths (39%) disagreed and one in ten (12%) were unsure. The most prevalent reason for disagreement was that the term 'low income' could stigmatise recipients. Several respondents felt the existing Cold Weather Payment name should be retained. They argued this was shorter, more memorable and recognisable.

The existing CWP pays £25 when recipients experience a cold spell between 1 November and 31 March. LIWHA proposes to remove the cold spell requirement for payment. Over three quarters (76%) of respondents agreed with the proposal. One sixth (16%) disagreed and 8% felt unsure. Some who agreed observed that removing the link to cold weather would increase certainty about fuel assistance. A few felt it would give households confidence that money would be available to allow them to put on or turn up their heating. The issue most frequently identified by the minority who disagreed was that removing the cold spell criteria could make some households worse off under LIWHA than under the CWP. A few went on to say this would exacerbate existing fuel poverty in colder areas.

Qualifying benefits

Just under two thirds of respondents (64%) agreed with the proposal to use qualifying benefits to identify eligibility for LIWHA. A quarter (25%) disagreed and 9% were unsure. Several respondents explained they agreed with this approach because they felt it is a relatively clear and simple way to identify those who will benefit most from the scheme and

will make it easier for the SG to plan and budget for the payment. The most prevalent issue identified by the quarter of respondents who disagreed was concern that the proposal could exclude some people who need financial support, as not all people on a low income are eligible for or claim state benefits.

Half of respondents (50%) agreed with keeping the current qualifying benefits to determine eligibility for LIWHA. Over a quarter (28%) disagreed and 18% were unsure. In agreeing with the proposal, some respondents commented that, in the majority of cases, the current qualifying benefits will capture low income households experiencing fuel poverty. The most common request from respondents who disagreed with this aspect of the proposal was to add other benefits to the list of qualifying benefits, including Personal Independence Payment (PIP) and Disability Living Allowance (DLA).

The majority of respondents (60%) agreed that the eligibility criteria for LIWHA are clear. Few disagreed (13%) and nearly a quarter (24%) were unsure. Complexity was the most commonly raised issue among those who disagreed. A few respondents described the criteria as 'unclear', 'complex' and in need of simplification.

Qualifying week

Just over two-fifths of respondents (41%) agreed with a proposed qualifying week during which eligible recipients for LIWHA will be identified. One third (34%) disagreed and 23% were unsure. Some supporters observed it makes the benefit easier to administer, particularly in terms of identifying recipients without the need for an application process. The most common reason for disagreement was that people who become eligible after the qualifying week would not receive a LIWHA payment that winter. Respondents argued that individuals' circumstances can change quickly, but the proposals make no provision for those who begin receiving qualifying benefits after the qualifying week.

Timing, amount and format of payment

Views on whether a one-off payment is appropriate for LIWHA were sought in two questions. At each question a majority of respondents supported a one-off payment – 55% at Q9 and 61% at Q21. Reasons for agreement include a view that recipients could plan more easily if they knew the amount and date of payment. The most common theme among those who disagreed with a one-off payment was a call for multiple or split payments. Respondents believed multiple payments would also help recipients with budgeting, particularly for those using on prepayment meters.

A majority of respondents (52%) disagreed with the proposal to make LIWHA payments in February each year; 29% and 16% were not sure. Many who disagreed felt a payment date in February is too late, and that recipients need help earlier in the winter to cover heating costs when cold weather first arrives. Concerns were expressed for people using prepayment meters or unregulated fuels (oil or off-grid gas) who pay for fuel in advance. Among respondents who called for an alternative payment month, the most common suggestion was January, followed by December. Respondents explained that a payment in these months would help to address the concerns about the cost of Christmas and about a February payment being too late.

Respondents were also asked whether they agreed with the proposed £50 LIWHA payment. More than half (52%) disagreed with the proposal, almost a third (31%) agreed, and a sixth (14%) remained unsure. Most prevalent among those who disagreed was a concern that £50 is not enough, particularly given rising energy costs. There was also a concern for those living in areas regularly affected by cold weather, in rural areas, or living in the Highlands and Islands, who typically pay more for fuel.

Just over half (51%) agreed with LIWHA being made as a cash payment. One quarter (27%) disagreed and 21% were unsure. Several expressed various reasons in support of a cash payment – that it is destigmatising, treats the recipient with dignity, empowers decision-making and provides certainty for budgeting. The most common reason for opposing a cash payment was that it could be misused and not spent on fuel or heating costs. Many believed payment should be made directly to energy suppliers.

Redetermination and appeals

There was a high level of agreement with the proposal that recipients have 31 days to request a redetermination. Over seven in ten (71%) agreed, 13% disagreed, 10% were unsure and 6% did not answer. The minority of respondents who disagreed commonly felt additional time was needed. A few described the potential difficulties that groups who may lack confidence or need additional support, such as disabled people, older people, digitally excluded groups and rural communities, could face in meeting this deadline.

Two thirds of respondents (66%) agreed with the proposal that Social Security Scotland should have a period of 16 working days to consider a redetermination of LIWHA. Fifteen per cent disagreed, 11% were unsure and 8% did not answer this question. Some were concerned that it is too long especially for people who need the money to pay for heating.

Other impacts and Impact Assessments

Several respondents addressed the need to ensure people with protected characteristics are both aware of LIWHA and have access to information. A few believed that LIWHA could positively impact recipients with disabilities, noting this group may spend more time at home and have higher fuel costs. Some noted that LIWHA could increase incomes for eligible families, thereby improving the health, wellbeing and development of children.

Respondents cited several challenges faced by island communities which contribute to higher rates of fuel poverty. These include the comparatively higher cost of fuel and energy supplies and the poor energy efficiency of homes. Some respondents called for LIWHA to have a greater recognition and consideration of these challenges.

Conclusions

This report provides a high-level summary of respondents' perspectives. Together, these responses are an essential evidence base for the Scottish Government to draw on when finalising LIWHA to ensure it is delivered with dignity, respect and fairness.

The range of views identified in the consultation provide a useful steer for any further development of LIWHA. However, given some of the variation in the views, priorities and concerns expressed in consultation responses, it is likely that any changes to the proposals will not satisfy all stakeholders.

1. Introduction

The Scottish Government has committed to replacing the UK Government's Cold Weather Payment (CWP) of £25 for every 7 day period of very cold weather. From winter 2022, the proposed Low Income Winter Heating Assistance (LIWHA) will see a new £50 winter heating payment paid annually to those low income households currently eligible for the CWP. This will be an investment of around £20 million every year and support 400,000 low income households with their energy bills.

On 1st December 2021 the Scottish Government (SG) published a [consultation paper](#) seeking views on the introduction of LIWHA. The paper provides an overview of the aims of LIWHA, its key eligibility criteria and format. It also outlines how the Scottish Government intends to deliver the new benefit through Social Security Scotland to provide assistance to individuals to help towards meeting heating costs in winter.

The consultation contained 38 questions and ran for twelve weeks¹. It included 16 agree/disagree questions about specific elements of the proposal, each with an open comments box which invited any respondents who disagreed with a particular aspect of LIWHA to explain why, and a further 6 open-ended questions. The questions covered the format, amount and timing of the payment, the removal of the cold spell criteria, eligibility and qualifying criteria, and the redetermination and appeals process. More broadly, there were also questions which invited respondents to share views on the policy and identify any gaps in knowledge or unintended consequences it might cause. A list of the consultation questions is provided in Appendix A.

During the consultation process, the Scottish Government held an engagement event with stakeholders in January 2022. A summary of the points raised during the event is included in this analysis.

The consultation is an opportunity for the Scottish Government to understand a wide variety of stakeholders' views on the proposed new benefit, which will shape the final implementation of LIWHA to ensure it is delivered with dignity, respect and fairness.

Profile of respondents

In total, 119 consultation responses were received. Most were submitted via the online consultation platform, Citizen Space. Those received in an alternative format, for example, a PDF document, were entered into Citizen Space by the Scottish Government. Full responses to the consultation, where permission for publication was granted, can be found on the Scottish Government's website.

Individuals provided 83 responses to the consultation; the remaining 36 were from organisations. Appendix B details the profile of organisations that took part in the consultation. The largest share of organisational responses came from the third sector (19) and local authorities / community councils (9).

¹ The consultation opened on 1st December 2021 and closed on 25th February 2022

Analysis approach

The Lines Between was commissioned to provide robust, independent analysis of the consultation responses. This report presents the range of views expressed by consultation respondents. A public consultation means anyone can express their views; individuals and organisations with an interest in the topic are more likely to respond than those without.

This self-selection means the views of consultation respondents do not necessarily represent of the views of the general population.

Quantitative analysis approach

The analysis of responses to each question begins with a summary of the closed question data. This shows the number and percentage of all 119 respondents who agreed with each proposal, who disagreed and who were unsure. These percentages illustrate the range of opinion held by consultation respondents. As this sample is self-selecting, no conclusions can be drawn about the level of support or opposition among the general public. In addition, Appendix C includes the percentage scores for individual respondents and for organisations to illustrate how views differ by type of respondent.

Qualitative analysis approach

Key themes identified in responses to each question are outlined in the qualitative analysis. The analyst team coded each response using a coding framework which was developed based on a review of the consultation questions and a sample of responses. In instances where a response contained information that did not align to specific questions, analysts exercised judgement about the most relevant place to include this material for analysis purposes.

When reviewing the qualitative analysis, the following points should be noted:

- There was significant repetition of views within and across questions. In particular, some respondents expressed the same or a very similar view at most questions. While all views are valid and are included in this report, to avoid excessive repetition analysts have exercised judgement on the most appropriate place to summarise each theme.
- A few organisations gave detailed responses covering matters of their own expertise. These included: Citizens Advice Scotland, Inclusion Scotland, Poverty & Inequality Commission for Scotland, Energy Action Scotland, Scottish Federation of Housing Associations, and Age Scotland. There is not scope in this report to reiterate the detail of these responses, but key points have been summarised where possible.
- Open-ended questions asked respondents who disagreed with a particular aspect of LIWHA to explain why. Many common themes in responses therefore focus on concerns about the proposals, and how they could be overcome, rather than positive aspects of the proposals and reasons for support.
- Where appropriate, quotes from individuals and organisations are included to illustrate key points and provide examples, insights and contextual information.

Weight of opinion

While qualitative analysis of open-ended questions does not permit the quantification of results, we signify the weight of a particular view using the following framework which indicates which are the most common or prevalent themes across responses:

- The most common / prevalent theme in responses (and second most common); the most frequently identified.
- Many respondents; more than 20, another prevalent theme.
- Several respondents; 10-19, a recurring theme.
- Some respondents; 5-9, another theme.
- A few / a small number of respondents; 3-5, a less commonly mentioned theme.
- Two/one respondents; a singular comment or a view identified in two responses.

Report structure

This report is set out as follows:

- Chapter 2 presents an analysis of responses to Q1 to Q8. This section of the consultation document provided an overview of the Low Income Winter Heating Assistance (LIWHA), including the removal of the cold spell trigger, and asked respondents for their view on the proposal, its effectiveness and its name.
- Chapter 3 covers Q11 to Q16 about the use of qualifying benefits and the clarity of the proposed eligibility criteria for LIWHA.
- Chapter 4 addresses Q23, Q24 and Q25 and the proposed qualifying week.
- Chapter 5 presents an analysis of responses to Q9/Q10, Q21/Q22 and Q26/Q27 about the timing of the payment and the move to a one-off, annual payment, and Q17 to Q20 about the amount and format of the payment.
- Chapter 6 summarises analysis of Q28 to Q31 about redetermination and appeals.
- Chapter 7 covers Q32 to Q38 which asked respondents for any additional information about LIWHA which may be useful for impact assessments.
- Conclusions are set out in Chapter 8.
- The consultation questions are included as Appendix A, a sectoral classification of respondents is Appendix B, and a full quantitative breakdown is provided as Appendix C.

2. Overview of proposals for LIWHA

This chapter provides an analysis of the first eight consultation questions. Respondents were presented with an overview of the Low Income Winter Heating Assistance and asked for their view on the proposal, its effectiveness and its name.

Q1. Do you agree or disagree with the proposal to replace Cold Weather Payment with a new benefit whose eligibility is based solely on receipt of a low income benefit and not on reaching a specific temperature for a period of time?

Q2. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	83	26	9	1	41
%	70%	22%	8%	1%	

There was broad support for the introduction of LIWHA. Overall, seven in ten (70%) agreed with the proposal to replace the Cold Weather Payment (CWP) with a new benefit. One fifth (22%) disagreed and one in ten were either unsure or did not answer. While both groups supported the proposal, agreement was higher among organisations (83% compared to 64% of individuals). Follow-up comments to Q2 were given by 41 respondents. Although Q2 and Q4 asked respondents why they disagreed with the proposal, several respondents who supported the introduction of LIWHA gave reasons for their support; these expressions of support are included under the analysis of Q4.

Disadvantages households in typically colder locations

The most prevalent issue with LIWHA among the minority who disagreed with aspects of the proposal was that removing the cold spell criteria could make some households worse off under the new benefit than under the Cold Weather Payment. This recurring theme of concern, noted by some individuals as well as organisations such as Energy Action Scotland, Age Scotland and Scottish Federation of Housing Associations, was evident across responses to several questions and is addressed in detail in the analysis of Q8. To summarise, respondents highlighted that households in areas where there are typically more than two cold spells per winter, or prolonged cold spells, would receive less money than under the current system. For example, a household in an area which experienced three cold spells in a winter would receive £75 (3 payments of £25) under the Cold Weather Payment, but £50 under LIWHA.

“This will significantly disadvantage those living in the colder parts of Scotland.” - Individual

Other reasons for disagreement

The second most common theme in response to Q2 was a concern that LIWHA could disadvantage some low income households. Many respondents noted that households could have a low income, but not be eligible for or claim the benefits which make them

eligible to receive a LIWHA payment. Another common theme was that LIWHA does not help to address fuel poverty. Both of these themes were recurring across responses to several consultation questions and are addressed in detail in the analysis of Q4 below.

Another reason for disagreement, mentioned by a few respondents across later consultation questions (Q24, Q29 and Q31), was concern about the administrative costs of the scheme. A few respondents highlighted the time required to identify recipients, make payments and process requests for redeterminations and appeals; one doubted that the resources are available to administer LIWHA. An individual suggested “a guaranteed fixed payment, irrespective of means”, while Citizens Advice Scotland called for more consideration of the cost-effectiveness of the proposed approach.

“An assessment of the likely administrative cost incurred in writing to all recipients of a qualifying benefit with a registered address in Scotland each year would also help to inform wider considerations as to the cost-effectiveness of the overall LIWHA policy.” – Citizens Advice Scotland

“Why create a cumbersome bureaucratic process [for redetermination and appeals], no doubt costing more to deal with than the £50 in question?” - Individual

Small numbers of respondents gave other reasons for disagreement. Three felt the payments were an unnecessary use of public funds and one suggested the scheme makes too many assumptions and lacks flexibility. Two respondents who were unsure of the proposal, including Child Poverty Action Group in Scotland, called for more information about who will benefit from LIWHA and by how much.

Q3. Do you agree or disagree that this approach is an effective way for the Scottish Government to tackle winter heating costs for people on low incomes?

Q4. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	73	31	14	1	49
%	61%	26%	12%	1%	

Overall, respondents offered their support for LIWHA as an effective way to tackle winter heating costs. Three fifths (61%) agreed, while one quarter (26%) disagreed and one in ten were unsure. Again, organisations were more likely to support the approach than individuals (75% and 55% respectively). Just over half of respondents (49) gave an open-ended comment at Q4. The three most common themes mentioned by similar numbers of respondents were that: the approach does not adequately address fuel poverty; it potentially disadvantages some low income households; and households in colder locations could be worse off (also described at the analysis of responses to Q2 and Q8).

Disadvantages some low income households

Perceptions that LIWHA would only support some low income households was another prevalent reason for disagreement among the minority who disagreed with aspects of the proposal, and a recurring theme throughout responses.

Respondents – mostly individuals - argued that while the eligibility criteria meant LIWHA is targeted at people on low income benefits, many households not in receipt of benefits could still be on a low income and need assistance. Several felt it was unfair that such households – particularly pensioners and those experiencing in-work poverty - could miss out on LIWHA because their income was only slightly over the threshold to receive the qualifying benefits. Chapter 3 includes a more detailed analysis of respondents' views on LIWHA's eligibility criteria.

“It is also recognised that many CAP clients are on very low incomes but not necessarily in receipt of the stated benefits. Those in low-paid part-time work or in receipt of inconsistent incomes will potentially miss out on a much needed method of support.” – Christians Against Poverty

“The cold weather does not only effect those on low income and by limiting any payments to that section of the population you are especially penalising those who do not qualify for any help because they are just over the threshold by even a few pounds and so miss out on all the benefits that pension credits bring” – Individual

“Just because you don't receive benefits, doesn't mean that the costs of dealing with cold weather will not have an economic impact on your household, in fact many households who are just above the breadline end up being penalised because they are not "poor enough" (or marginalised health wise or employment wise) to qualify to receive aid.” - Individual

Does not adequately address fuel poverty

Another prevalent theme at Q4, which was also common at Q2, was that LIWHA does not sufficiently address fuel poverty. The minority of respondents who disagreed with aspects of the proposal viewed the approach as ineffective, arguing that the payments offer short-term relief to ‘take the edge off’ a bad situation but are not a sustainable solution. Others felt the proposal could worsen fuel poverty in colder areas, where households potentially receive less money each year; this is detailed more under analysis of Q8. Specifically, Citizens Advice Scotland and Age Scotland noted that one policy intervention cannot be viewed in isolation, with the former calling on the Scottish Government to produce a plan to address the multiple drivers of fuel poverty.

Related to this, some respondents suggested approaches which they felt would be more effective. These included: investing in energy efficiency schemes; improving the energy efficiency of housing stock e.g. better insulation and investing in alternative heating systems which can be retrofitted to properties; and ensuring low income households have access to the cheapest tariffs. Age Scotland suggested that LIWHA should also ensure that eligible households are targeted directly with practical advice on energy efficiency.

“We agree that the Low Income Winter Heating Assistance can provide useful means to help older people struggling to pay for the increasing costs of energy provision to the home. However we would like to highlight that this will only go as far as offering an immediate short term relief on the impacts of fuel poverty amongst older people.” – Age Scotland

“Whilst we agree that providing additional cash support to low income households is an effective approach this payment is not sufficient in scope, nor level, to tackle winter heating costs or fuel poverty” – Child Poverty Action Group in Scotland

“It is clearly a stop gap temporary fix - firefighting in some respects. Better targeted investment (with insulation) is needed to reduce energy demand and thus cost.” - Individual

Payment too small / increasing energy costs

Another reason for disagreement at Q4 was a suggestion that the proposed £50 payment is too small to address winter heating costs. While some welcomed the £20 million budget, they believed the low value of individual payments would not have a significant impact. Some respondents highlighted that the payment will not be enough to mitigate the recent rise in energy prices. A detailed analysis of comments on this theme is provided at Q18.

Other reasons for disagreement

A few respondents shared other reasons for disagreement. These included concerns that the payments may not be used for heating costs (see Q20 for detail). Organisations including Poverty Alliance, Citizens Advice Scotland, Child Poverty Action Group in Scotland and Stirling Council argued that more needed to be done to address low incomes in general, such as increasing household incomes and having adequate social security.

Reasons for agreement

Although Q2 and Q4 asked respondents who disagreed with the proposal to explain why, several – mostly organisations - outlined reasons for their support of LIWHA. These views typically aligned within three themes. Most commonly, some felt the one-off payment, regardless of temperature, provided households with certainty about what payment would be received. This was seen as beneficial in budgeting and planning ahead. A more detailed analysis of the move to a one-off payment is provided in Chapter 5. A small number agreed because they felt heating assistance should be based on income and not temperature. A few also felt LIWHA was fairer than CWP and would help more people.

“Having the benefit as a guaranteed payment rather than a payment contingent on outdoor temperature will mean that people know how much they will receive and when, providing reassurance and certainty to people and enabling them to better plan their heating use and budget for bill payments.” – Energy Saving Trust

“We agree that it is a more predictable way for individuals and families to receive assistance with heating costs during cold weather. It would remove eligibility based on the vagaries of weather, reach more people in need and provide a degree of security.” – National Carer Organisations

“Agree. Save the Children supports cash payments being made directly to households who are living on low incomes to offer support to tackle the high cost of winter heating. It is vital that this payment goes direct to families so that they can manage their budgets and have control over their household finances.” – Save the Children

“Age Scotland agrees with the principle of the new benefit eligibility being centred around income rather than experiencing significant drops in temperature below freezing for a sustained period of seven consecutive days.” – Age Scotland

Other suggestions

A small number of respondents used Q2 and Q4 to suggest other approaches they felt would be more effective. These singular suggestions included:

- Reforming the Warm Homes Discount in Scotland.
- Making payments to those who spend a greater percentage of their income on fuel.
- Taking into account the level of home insulation.
- Using the budget on a smaller number of people who are more in need.
- Improving education on keeping homes warm.
- Involving charities to distribute the money to people who need it.
- For the Scottish Government to urge the UK Government to provide more support to those in need. Conversely, one individual disagreed with the proposal for LIWHA because they felt changes to CWP should be made at a UK level

“We think it is essential that any communications to householders about the replacement of Cold Weather Payment with Low Income Winter Heating Assistance signposts to Home Energy Scotland to ensure that householders are aware of where they can go for further advice and support about keeping warm at home, including improving their home’s energy efficiency which is the best long term solution to reducing fuel poverty. Using this channel of communication will help the Home Energy Scotland service to reach the most vulnerable and challenging to reach householders who do not engage with most government services.” – Energy Saving Trust

Q5. Do you agree or disagree with the proposal to name the replacement for Cold Weather Payment (CWP) in Scotland “Low Income Winter Heating Assistance” (LIWHA)?

Q6. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	57	47	14	1	55
%	48%	39%	12%	1%	

Just under half of respondents (48%) agreed with the proposed name of Low Income Winter Heating Assistance. Four fifths (39%) disagreed and one in ten (12%) were unsure. While individuals supported the name (51% agreed and 36% disagreed), organisations were more likely to disagree (47% compared to 42% agree). Open-text responses to Q6 were given by 55 respondents.

Creates stigma

The most common reason for disagreement with the proposed name, especially among organisations, was that the term ‘low income’ could stigmatise recipients. ‘Low income’ was described as degrading, negative, insulting, embarrassing, unfair and as having connotations with poverty. Specifically, a few organisations felt ‘low income’ was inappropriate for the ethos of social security in Scotland.

“If you receive this benefit under this new name you are putting these people into a bracket that distinguishes them as of a lower category than others the same way that free school meals did in the past.” – Individual

“This seems to go against one of the core principles of social security that have been adopted by the Scottish Government in that it appears to pay insufficient respect to the dignity of claimants and potential claimants of winter heating benefits.” – Citizens Advice Scotland.

“Describing a benefit as being a ‘low income’ assistance is [inconsistent] with the wider social security Scotland messaging. We are not aware of any other benefits being described as ‘low income’ and doing so could be a barrier to take up. It also may cause confusion, as it is not available to many groups of people on a low income.” – Child Poverty Action Group in Scotland

Alternative names

Suggestions for alternative names was the second most prevalent theme at Q6. Given the dislike of ‘low income’, the most commonly suggested alternative was Winter Heating Assistance (WHA). Other suggestions included Winter Heating Grant, Winter Heating Support, Winter Heating Payment, Winter Heating Assistance Payment, Winter Heating Costs Assistance, Supplementary Winter Heating Assistance, Equal Heat Assistance,

Cold Weather Assistance Payment, Scottish Cold Weather Payment and Scottish Winter Heating Payment.

"I'm unconvinced of the need to label it 'low income'. I understand that this is a criteria, but I'm concerned that it adds to stigma. "Winter Heating Assistance" would be sufficient, the criteria could be spelled out for applicants" – The Moray Council

Keep Cold Weather Payment and avoid confusion

Several respondents felt the existing Cold Weather Payment name should be kept. They argued this was shorter, more memorable and recognisable. A few argued that some people within the LIWHA target audience could find the change unnecessarily confusing. Again, it was suggested that keeping the existing Cold Weather Payment name would avoid the stigma of including 'low income' in the name.

"People are used to Cold Weather Payments and changing benefit names is confusing for claimants." - CHAI Community Help and Advice Initiative

Length

Some respondents believed the name 'Low Income Winter Heating Assistance' is too long, or that its acronym LIWHA has too many letters. It was suggested that neither term 'trips off the tongue', and the long name might be difficult to understand.

Aspects of the name are misleading

Different aspects of Low Income Winter Heating Assistance were seen by some respondents as misleading. Most commonly, 'low income' could be misleading as not all those with a low income would receive the payment, only those who meet the eligibility criteria. A few argued this could lead to hesitancy and confusion around eligibility. A small number also questioned how low income was defined.

"The use of the term 'low income' in the title would be misleading as people who are in work and on low income are not included." – OPFS (One Parent Families Scotland)

Stirling Council noted that the term assistance could be misleading, as it suggests regular ongoing assistance with heating. They suggested 'Payment' as an alternative.

Other comments

Christians Against Poverty expressed their support for the name, highlighting its clarity and effective message; conversely, two individuals described the name as patronising and stupid. Another individual suggested the name of the benefit is irrelevant, as long as it reaches those who need it.

"CAP is in agreement with this change. It effectively ensures that recipients are clear that this is an entirely different support scheme, and maintains the updated narrative outlined in the Scottish Government's consultation." – Christians Against Poverty

Q7. Do you agree or disagree with the proposal to remove the requirement for a ‘cold spell’ to be identified in order for a client to receive a payment?

Q8. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	90	19	9	1	38
%	76%	16%	8%	1%	

The existing CWP pays £25 when recipients experience a cold spell between 1 November and 31 March. A cold spell occurs when the average temperature is recorded or forecast to be at or below zero degrees Celsius for seven consecutive days. LIWHA proposes to remove the cold spell requirement for payment. Q7 asked whether respondents agreed with the removal of this requirement. Over three quarters (76%) of respondents agreed with the proposal. One sixth (16%) disagreed and a small proportion (8%) felt unsure. Almost all organisations who responded to the question agreed (86%), compared to 71% of individuals. Open comments were provided by 38 respondents at Q8.

Disadvantaging households in colder locations

The most prevalent issue identified by the minority of respondents who disagreed with this aspect of the proposal was that removing the cold spell criteria could make some households worse off under LIWHA than under the Cold Weather Payment. A few went on to say that this would exacerbate higher existing levels of fuel poverty in colder areas which result from higher energy costs and poorer quality housing. This issue was also discussed in detail at the stakeholder event.

Several respondents highlighted that households in areas where there are typically more than two cold spells per winter, or prolonged cold spells, could receive less money than under the current programme. For example, a household in an area with three cold spells in a winter would receive £75 (3 payments of £25) under the Cold Weather Payment, but £50 under LIWHA. Some referred to this being a particular concern in the rural north of Scotland and the Islands. Energy Action Scotland, Scottish Federation of Housing Associations and Poverty Alliance cited Braemar as an example – in the relatively mild winter of 2021/22, three cold spells were triggered (totalling £75 across three CWPs), compared to seven in 2020/21 (totalling £175) and 10 in 2012/13 (totalling £250).

Specifically, Family Fund, Inclusion Scotland and Age Scotland noted their concern for those living in six (of 27) weather station areas identified in the consultation paper as being more likely to lose money under LIWHA. Age Scotland approximated 17,000 people would receive less under LIWHA compared to the existing CWP.

Some respondents pointed out that, due to unpredictable weather, a fixed rate of £50 could mean that all households receive less than under CWP in a particularly cold winter.

“Most years in my area of Lochaber we get more than 2 cold weather payments, so the proposed £50 help would actually make us worse off. My wife and I are disabled and live in a home prone to mould and damp, so we have high energy costs due to mains gas not being available in Lochaber.” – Individual

“The consequence is a benefit which fulfils a completely different function to the Cold Weather Payment and no longer helps those who are disadvantaged by the fact they live in an area which can be exposed to extreme weather conditions. If this benefit is to be replaced, there should be alternative mechanisms as part of the Fuel Poverty Strategy which offer adequate levels of assistance to these households during the winter months.” – Scottish Federation of Housing Associations

“Among households who live in parts of Scotland more regularly exposed to periods of temperature-driven enhanced building heat loss, the Scottish Government’s proposals will increase the fuel poverty gap and are likely, in a cold winter, to result in many experiencing adverse outcomes to their health and wellbeing.” – Citizens Advice Scotland

Additional support for colder areas

Given the concerns over some areas being comparatively worse off under LIWHA, several respondents suggested alternative ways to support those in colder locations, including:

- A payment supplement or additional targeted payments to parts of Scotland with more frequent adverse winter weather. OPFS (One Parent Families Scotland) called for a feasibility study to determine the amount needed to assist colder areas. Cystic Fibrosis Trust proposed that LIWHA is implemented alongside CWP to ensure those who live in the coldest parts of Scotland do not lose out.
- A few suggested an approach whereby LIWHA payments are weighted based on geography and heating type availability.
- Glasgow City Council recommended that discretionary power be granted in the case of extreme cold weather. Similarly, Poverty & Inequality Commission for Scotland called for extra funding to some local authorities.

“We therefore believe that the Scottish Government should look at the viability of creating ‘Cold Weather Premiums’ for areas that we already know experience the most significant drops in temperature over the winter period and provide eligible households within these postcode areas with an additional top up of at least £25 in their LIWHA.” – Age Scotland

“We suggest that, in addition to Winter Heating Assistance, extra funding is given to Local Authorities covering areas with particularly cold weather, such as Highlands & Aberdeenshire, via the Winter Support Fund. That would give those Local Authorities the capacity to provide additional financial help to those living in the areas covered by the weather stations that regularly record lengthier cold spells.” - Poverty & Inequality Commission for Scotland

Retain a link to temperature

Another common theme was a call to keep the payment related to temperature. Respondents argued that it costs more to heat homes in cold weather and that should be

the basis of the payment. Linked to the themes above, a few noted that those living in colder parts of Scotland would be disadvantaged; retaining the link to temperature would mean those with the greatest need were targeted. For example, while the Scottish Federation of Housing Associates agreed with some of the reasons to remove the cold spell requirement, they worried that without any connection to temperature LIWHA fails to account for the large variation in costs of heating across Scotland.

The Scottish Government's proposals for LIWHA would therefore remove the only form of financial support that currently comes close to accounting for the divergent consumer outcomes caused by regional differences in weather and deny the wider package of measures within its control the ability to be sufficiently locally responsive to factors which influence local fuel poverty rates. We do not therefore consider that removing a link with the weather is consistent with a credible plan to eradicating fuel poverty in every local authority area in Scotland by 2040. – Citizens Advice Scotland

Among those who disagreed, a few recommended broadening the definition of cold spell. Citizens Advice Scotland suggested considering multiple factors like those used to calculate the 'feels like' temperature, i.e. the dry bulb temperature, humidity, and airflow. Energy Action Scotland highlighted multiple ways to improve and extend triggering events. These included raising the triggering temperature to above 0 degrees Celsius, reducing the length of the cold spell from 7 days, and measuring beyond absolute air temperature.

Unnecessary Payment

A few respondents expressed concern that payments would be made in mild weather when heating was unnecessary, if the cold spell requirement was removed. They suggested payments should only be made in cold weather, otherwise the support could be seen as 'just another benefit'.

"There is a reason for the current system, and the proposal removes this reason, takes away this safety net, and dishes out money regardless. This proposal is wasteful, badly conceived and pointless." - Individual

Keep or modify the CWP

Two respondents approved of using the current CWP approach without amendments; another individual felt CWP works well but would benefit from a higher payment rate.

In their detailed response, Citizens Advice Scotland argued for an alternative approach - the Adverse Weather Payment (AWP) - which maintains a link to temperature and provides low income households with short-term financial relief from heating costs. Recognising this may not be feasible within legislative timeframes, they advocated for a temporary devolved version of the CWP, using existing triggers and eligibility criteria. This could be replaced with an alternative to LIWHA after further discussion. Their response explains how such an alternative could operate. At the stakeholder event, Citizens Advice Scotland also noted issues around budgeting for the CWP, but felt that any underspend from a mild winter could be reinvested in other Scottish Government fuel poverty schemes.

While not linked directly to the cold spell criteria, Energy Action Scotland also felt “it would be better to adopt the current Cold Weather Payment system with a view to developing and improving it. Once it has been deployed the Scottish Government should consult on the best options for amending it based on direct operational experience.”

“It is important that the introduction of LIWHA is done well as it is a precursor to the Winter Fuel Payment which is perhaps the single largest intervention to support people to access heat and power. As it stands LIWHA has no targeting, no clear policy alignment to reducing fuel poverty and appears to be a low cost administrative option. As such it equates to little more than £1 per week to those that receive it. It would be far better deployed recognising the role it can play in helping people at time of climatic stress and indeed is scaled in relation to extreme events as they occur.” – Energy Action Scotland

Other discussion on the CWP included calls from a small number for changes to the weather monitoring and data collection systems which trigger cold spells under CWP. They shared examples of places which do not receive payments for cold spells because their linked weather station is in a milder area. Suggested solutions included more weather stations, in a wider range of locations, to make readings more accurate and targeted.

“The location of the 27 weather stations in Scotland has also raised questions over accuracy and fairness. As noted in the consultation document, there could be opportunities to look at increasing the number of weather mapping points or better capturing the effects of wind chill. We would like to see the Scottish Government explore these options further before removing the requirement for a cold weather event completely.” – Scottish Federation of Housing Associations

Reasons for agreeing with LIWHA proposal

In describing their agreement with the LIWHA, some observed that removing the link to cold weather would increase certainty about fuel assistance. A few felt it give households confidence that money would be available to allow them to put on or turn up their heating.

“Removing the requirement for a week-long period of freezing temperatures would give more confidence to recipients that they have some financial assistance available to help pay for increased energy use when it is cold, and not waiting until after it has been very cold for a week exactly to turn up their heating for fear that money wouldn’t be available.” – Age Scotland

A few respondents believed removing the cold spell trigger creates a simpler and fairer benefit, as the criteria created too much variance in payments around Scotland. One noted that winters, whether colder or milder, required more heating.

“We agree. It avoids those periods of cold weather but don’t quite fit the criteria for 7 days or the temp is slightly too high and prevents people from receiving help under the current system. This new way will ensure everyone who is entitled, will receive the payment regardless of weather or where they live. It is a much fairer system and will help avoid the frustration of people still having higher bills due to cold weather but missing out due to the criteria.” – Castle Rock Edinvar

3. Qualifying benefits

This chapter presents an analysis of Q12, Q14 and Q16 which cover the use of qualifying benefits and the clarity of the eligibility criteria for LIWHA. The Scottish Government does not intend to make significant changes to the qualifying benefits i.e. people who meet the existing qualifying criteria for CWP's should be eligible for a LIWHA payment².

Q11. Do you agree or disagree that our approach to identifying eligibility should be through the use of qualifying benefits?

Q12. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	76	30	11	2	46
%	64%	25%	9%	2%	

Just under two thirds of respondents (64%) agreed with the proposal to use qualifying benefits to identify eligibility for LIWHA. A quarter (25%) disagreed and 9% were unsure. A greater proportion of organisations agreed with the proposal, compared to individuals (81% vs 57%). Open-ended comments were provided by 46 respondents. Some respondents' comments under Q14 and Q16 are more relevant to the themes covered under Q12; these have therefore been included in the analysis below.

Concern that qualifying benefits exclude some low income households

The most prevalent issue identified by the minority of respondents who disagreed with this aspect of the proposal was recognition that not all people on a low income receive state benefits. This created concern that using qualifying benefits to determine eligibility for LIWHA could exclude some people who need financial support.

Some noted how many experiencing in-work poverty would miss out on LIWHA, and suggested there was scope to identify and extend the payment to these households. Others discussed how some pensioners would be ineligible due to not qualifying for Pension Credit, despite having a relatively low income.

A few noted that a small sum of money (i.e. a few pounds) can be the difference between being eligible for a benefit or not. This may result in households with an income just above the threshold for some benefits who will not be entitled to LIWHA, despite having a similar income to those who are eligible. There were also concerns that low income households without children would be unable to access the assistance.

² This includes clients in receipt of Pension Credit, Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, Universal Credit and Support for Mortgage Interest. Additional qualifying criteria for some of the low income benefits will also need to be satisfied in relation to disability premiums paid to the client or a disabled child in their household.

“Low income is experienced by a broader population than the current criteria includes.” – Individual

“Many households are on the brink of balancing income and expenditure, but do not qualify for any benefits. However, a LIWHA could help massively.” – Individual

Some respondents felt that the proposed eligibility criteria do not reflect the significant increase in fuel costs which will put more households at risk of fuel poverty despite not being eligible for the qualifying benefits.

“As fuel costs rise, heating the home will become tougher for everyone and especially those on the cusp of what might be considered medium incomes will move below that threshold without necessarily becoming a low income household and/or receiver of benefits.” – Individual

Several respondents also raised the issue of unclaimed benefits, noting that there are many households who do not claim all the social security that they are entitled to. This means they would not receive LIWHA, despite being in the same financial position as those who claim the benefits. Respondents suggested more should be done to encourage and support these households to claim the benefits they are entitled to. This issue was also raised by participants at the stakeholder event.

“Whilst we support the approach to identifying eligibility through the use of pre-existing reserved benefits, mainly that of Pension Credit, we are equally concerned that this benefit is one of the most underclaimed social security payments with an estimated 40% of eligible pensioners missing out. Research by Independent Age has estimated there are 123,000 eligible households in Scotland who are not claiming Pension Credit. We believe that this is a fundamental issue that must be addressed if the LIWHA is to reach its full potential in supporting low income households experiencing fuel poverty. The Scottish Government should therefore seek to increase awareness of Pension Credit and support people to claim it, giving them access to the LIWHA payment.” – Age Scotland

Need for flexible approach

Some respondents' support for the approach of using qualifying benefits was conditional on integrating an element of flexibility and discretion into the process. They requested that personal circumstances be taken into account if people do not automatically qualify for the assistance. For example, there may be claimants whose benefits have been sanctioned or are in dispute/awaiting appeal; others may be waiting on medical assessments to determine their eligibility; some people may have been experiencing financial abuse at the hands of a partner and do not have access to/control over their finances. In cases such as these, they suggested LIWHA should be awarded despite the individual not being in receipt of the qualifying benefits. Christians Against Poverty raised the specific issue of asylum seekers and those without indefinite leave to remain, who are expected to pay bill including heating, but have no legal recourse to benefits.

A small number argued that there should be scope for households who do not automatically qualify to apply for the assistance.

“We do however think that proposal should address the fact that people who are in fuel poverty are not always eligible for benefits and therefore suggest that in addition to these qualifying benefits which result in automatic qualification, provision is also made for households that are not in receipt of DWP benefits to apply for the LIWHA – specifically those on low income, with high fuel costs, and who are vulnerable, including to cold related illness.” – Energy Saving Trust

“Although we welcome the targeted nature of this fund, the Cystic Fibrosis Trust would like to see the addition of a built-in mechanism for applications in exceptional circumstances, for those who fall outside of the [eligibility] criteria. Additionally, this could act as a failsafe for those who fall outside of the “qualifying week” proposed” – Cystic Fibrosis Trust

Alternative approaches to identifying eligibility

Respondents suggested other ways to determine eligibility for LIWHA. These included:

- Basing it on household income (for example, one respondent suggested those on a household income of less than £25,000 should be eligible) or income tax.
- Widening access so that all vulnerable households are eligible for the assistance (e.g. elderly households and people with disabilities or long term health conditions and their carers). For example, Cystic Fibrosis Trust proposed automatic qualification for LIWHA for people with a long-term health condition or disability.
- Taking into account the condition/heating efficiency of a property (e.g. state of disrepair, insulation) and the affordability of/relative spend on heating (e.g. percentage of income spent on heating bills).
- Incorporating eligibility criteria from the Scottish Government’s Best Start Grant into the LIWHA so that parents on a low income who are not in receipt of the qualifying benefits can access the grant.
- Inclusion Scotland suggested that anyone entitled to support when LIWHA payments are being made should receive the benefit.

A small number felt that the LIWHA should not be means tested at all and that all households in Scotland should be eligible for the payment. One suggested that a universal winter heating payment should be allocated and then reclaimed back from high-income households via a tax return.

Glasgow City Council highlighted that the Department of Work and Pensions (DWP), not the Scottish Government, determine eligibility for some of the benefits upon which LIWHA eligibility is based. This means that if DWP changes the benefit criteria, it would consequently impact entitlement to LIWHA.

Support for proposed approach

Several respondents explained why they agreed with using qualifying benefits to determine eligibility for the LIWHA. They noted that this approach is a relatively clear and simple way to identify those who will benefit most from the scheme and will make it easier for the Scottish Government to plan and budget for the allowance. More specifically:

- Citizens Advice Scotland noted that using qualifying benefits is in line with the Scottish Government’s approach to other heating support for low income households.
- Energy Saving Trust welcomed the inclusion of benefits relating to disability and age as this recognises the greater need for heating in such households.
- Child Poverty Action Group in Scotland noted that LIWHA allows the Scottish Government to make payments to some income households, and that the legislation and technical framework could be developed to ensure it can be used to make additional payments to this group of low income households in the future.

Q13. Do you agree or disagree with the proposal to retain the current qualifying benefits to indicate eligibility for this new payment?

Q14. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	60	33	22	4	50
%	50%	28%	18%	3%	

Half of respondents (50%) agreed with keeping the current qualifying benefits to determine eligibility for LIWHA. Over a quarter (28%) disagreed and 18% were unsure. Opinion among organisations was mixed – 56% agreed, 31% disagreed and 8% were unsure. Among individuals, 48% agreed, 27% disagreed and 23% were unsure.

While 50 respondents gave an open-text response to Q14, many of these comments were more relevant to the themes covered under Q12, and were included in that analysis. Responses which directly addressed the current list of qualifying benefits is presented in this section of analysis.

Expanding the list of qualifying benefits

The most prevalent need identified by respondents who disagreed with this aspect of the proposal was the requirement to add other benefits to the list of qualifying benefits. Several respondents suggested Personal Independence Payment (PIP) and Disability Living Allowance (DLA) should be included in the list of qualifying benefits.

Many felt strongly about this, referencing studies that show disabled people and those with long-term health conditions face higher energy bills. They highlighted that disabled people experience higher rates of unemployment than those without disabilities and are likely to spend more time at home; and their conditions or impairments make them more susceptible to ill health if their homes are cold. Respondents felt it important to include PIP and DLA as qualifying benefits, as many disabled people do not claim any other qualifying benefits, but would benefit greatly from LIWHA.

“Our Experts by Experience Panel believe that there is a strong case for extending entitlement to households containing recipients of Child or Adult Disability Payments regardless of whether they claim means tested benefits. This is because such households are not only at greater risk of poverty but very often also face higher energy costs (e.g. disabled adults are more likely to be workless and spend more time at home during the day whilst some disabled children (and adults) face extra laundry costs due to incontinence etc.) Research by the disability charity Scope suggests that disabled people in Scotland face the highest additional monthly costs due to disability (on average £632 extra per month in 2018 - partly due to higher average energy costs). Thus extending entitlement to more disabled adults and children would be a well targeted intervention.” - Poverty & Inequality Commission for Scotland

Other forms of social security that respondents felt should be added to the list of qualifying benefits, each mentioned by a small number of consultation participants, included:

- Housing benefit, Council tax reduction, Scottish Child Payment or Attendance Allowance
- Any contribution-based benefits, e.g. Employment and Support Allowance (ESA).
- Carer’s Allowance, Young Carer Grant, the carer element of Universal Credit or carer premium on legacy benefits.

One respondent suggested that the list should be expanded so that anyone on a means-tested benefit is eligible for LIWHA.

Amendments to eligibility criteria

A few argued that the additional qualifying criteria for some of the low income benefits should be removed, particularly those around Universal Credit. They disagreed with the inclusion of criteria that excludes employed claimants and claimants without a child under 5 years of age in their household. It was noted that this will prevent many people in in-work poverty and single people from accessing the assistance, despite having few other avenues of financial support from the state.

“We agree in part with the proposed eligibility however we would remove the exclusionary criteria that states that you must not be in employment when claiming Universal Credit to eliminate a level of confusion. This may help to prevent the exclusion of households who need the support despite being employed, particularly people working a small number of hours per week or with fluctuating wages.” – Poverty Alliance

Support for retaining current qualifying benefits

Some respondents supported the retention of current qualifying benefits, noting that in the majority of cases, they will capture low income households experiencing fuel poverty. One provisionally supported the list of qualifying benefits, but thought it was important to revisit the list in the future to ensure that the assistance is well targeted and those who require additional assistance with the fuel costs during the winter period are not excluded.

Q15. Do you agree or disagree that the eligibility criteria for the LIWHA are clear?

Q16. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	71	16	28	4	21
%	60%	13%	24%	3%	

The majority of respondents (60%) agreed that the eligibility criteria for LIWHA are clear. Few disagreed (13%) and nearly a quarter (24%) were unsure. Organisations were more likely to agree than individuals (78% and 52% respectively). There were 21 comments in response to Q16. Approximately half of these aligned with the themes covered under Q12 and Q14 and have been included in the analysis of those questions. This section presents an analysis of responses addressing the clarity of the eligibility criteria.

Complex eligibility criteria

Complexity was the prevalent issue among those who left comments. The criteria was described as ‘unclear’, ‘complex’ and in need of simplification by a few respondents, although few provided any suggestions for improvements. Specifically:

- Two respondents raised concerns that the use of disability premiums in the eligibility criteria added a layer of complexity and called for this to be simplified.
- One drew attention to the ‘confusing’ criteria around Universal Credit.
- One suggested changing the criteria to include anyone in receipt of means-tested benefits to make it more universally understandable.

A small number of individuals stated that they did not know what the proposed eligibility criteria was, and therefore it was unclear. It is not known if this is because they did not understand what was in the consultation paper or because they had not read it.

Citizen’s Advice Scotland noted that while the criteria is complicated, they recognise that a degree of complexity is required in order to identify those most in need of the assistance.

“CAS recognises that in targeting support to the most vulnerable low income consumers, an element of complexity within eligibility criteria is inevitable; the nature of the reserved benefits system means that a mixture of proxies must be used to ensure that vulnerable low income households are treated equally, regardless of the principal means tested benefit they receive. We agree that the devolved replacement for CWPs should continue to focus its support on the most vulnerable low income consumers and we therefore believe that the eligibility criteria proposed by the Scottish Government are as clear as they reasonably can be in the circumstances.” – Citizen’s Advice Scotland

Language used

One respondent claimed that ‘unclear jargon’ was used in the eligibility criteria, but did not specify which words, phrases or sections they were referring to.

4. Qualifying week

This chapter presents an analysis of Q23, Q24 and Q25, which address the proposed qualifying week for LIWHA. An individual’s entitlement to LIWHA will be based on their entitlement to the qualifying benefits during the defined qualifying week, rather than during a period of cold weather. This approach is taken to identify recipients for the current Winter Fuel Payment (WFP) and the Scottish Government’s Child Winter Heating Assistance (CWA). It was suggested in the consultation that the qualifying week be set for the third week in September, to be consistent with other winter heating benefits being paid across the UK.

Q23. Do you agree or disagree with the proposal to set a ‘qualifying week’ during which eligible clients for LIWHA will be identified?

Q24. If you disagreed, please could you explain why?

Q25. If you agreed, please indicate a preference for when you think the qualifying week for LIWHA should be?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	49	40	27	3	109
%	41%	34%	23%	3%	

Just over two-fifths of respondents (41%) agreed with a proposed qualifying week during which eligible recipients for LIWHA will be identified. One third (34%) disagreed, 23% were unsure and 3% did not answer this question. Individuals held mixed opinions (39% agreed, 35% disagreed and 25% unsure), while organisations were more likely to agree (47% agreed, 31% disagreed and 17% were unsure). There were 109 open-ended comments about the qualifying week: 53 in response to Q24 and 56 at Q25.

People may miss out if circumstances change

The most common reason for disagreement was a concern that people who become eligible after the qualifying week would not receive a LIWHA payment that winter. Respondents argued that circumstances and therefore the benefits people receive can change quickly, but the current proposals make no provision for supporting those who begin receiving qualifying benefits after the qualifying week. This view was expressed by many respondents including Save the Children, Inclusion Scotland, Child Poverty Action Group in Scotland, Scottish Women’s Convention and a few local authorities such as Glasgow City Council and Shetland Islands Council.

“We understand the need for a cut-off point to determine who is eligible for the payment but very clearly this will mean some people will miss out if they are not in receipt of a qualifying benefit in the qualifying week. Family circumstances can change quickly and

leave households who were just managing in a situation, suddenly struggling to pay bills and provide food and essentials for their family.” – Save the Children

“There are significant concerns that using a qualifying week will deprive those on fluctuating earnings (such as gig economy or seasonal workers) of any support when they most need it. In addition new claimants who make their claim after the qualifying date in September will be deprived of any assistance throughout an entire winter.” – Inclusion Scotland

A small number noted that some families with children would lose out if they are born after the qualifying week. This is described in more detail in the analysis of responses to Q34. At the stakeholder event, OPFS noted that qualifying week could have a disproportionately negative impact on single parents, who are mostly women.

To address this concern, some respondents, including the Poverty Alliance and Child Poverty Action Group in Scotland, suggested the qualifying week should be extended. Alternatively, one individual suggested there could be two or three qualifying weeks over the winter. Age Scotland called for “a further intermediate period to capture new recipients of qualifying social security entitlements” if there is more than two months between the qualifying week and payment date. Family Fund suggested a discretionary fund to support people who were ineligible during the qualifying week but need support over the winter.

“The eligibility period could be extended, potentially to include anyone who receives a qualifying benefit at any point during the winter; this would be in line with the policy intent and ensure that more households would benefit from the support. It would be in line with SCoSS [Scottish Commission on Social Security] recommendation that Child Winter Heating Assistance is paid to any child who receives a disability benefit payment at any point within the winter period.” – Child Poverty Action Group in Scotland

Confusion about the approach

Some comments indicated the proposal had been misunderstood. A few respondents thought that recipients had one week in which to submit an application; two perceived the qualifying week to refer to a week of cold weather; and two believed that Social Security Scotland would only have one week in which to identify all eligible recipients.

Support for qualifying week approach and timing

Although Q24 asked for reasons for disagreement, there were also comments in support of implementing a qualifying week. Some respondents (including two who indicated in their closed question response that they were unsure about the proposed approach, two who agreed and two who disagreed) observed that it would make the benefit easier to administer, particularly in terms of identifying recipients without the need for an application process.

Some respondents, including two local authorities, Family Fund and a housing association, supported the proposal for the qualifying week to be the third week in September. A few of these explained that this approach is consistent with other winter

heating benefits and one noted that it allows time for any appeals. Two other respondents suggested different weeks in September.

Preferred timing of qualifying week

The most common suggestion in response to Q25 was for the qualifying week to be in January. Respondents who made this suggestion included Save the Children, Carrgomm and Argyll and Bute Council. Most did not give reasons for their view, but two individuals explained that people often experience financial hardship in January due to the expense of Christmas. Save the Children advocated two qualifying weeks: one in October and one in January to allow for a payment date in November and another in February.

Second most common in comments about the qualifying week were calls for it to be in December. Most respondents who suggested this did not explain their view, other than the Poverty & Inequality Commission for Scotland, which explained that it would be helpful to schedule the qualifying week closer to the month when it is intended to make payments (February).

Calls for the qualifying week to be as close as possible to the payment date were echoed by some other respondents including OPFS, Child Poverty Action Group in Scotland, and Age Scotland. These respondents did not suggest a specific alternative time. Similarly, National Carer Organisations did not state specifically when they thought the qualifying week should be, but emphasised that it should be in time for payments to be made in January.

“If the qualifying week is used, it should be as close as possible to the payment date to ensure that those most in need at the time of payment receive the payment.” – Child Poverty Action Group in Scotland

“The qualifying week should be no more than one month before the payment date. If there is a longer gap there could be numerous changes to the qualifying benefits.” - OPFS

There was less widespread support for the qualifying week to be in October, November or February. These months were each suggested by a small number of respondents, while one individual called for the week to be “towards the end of the winter when fuel bills/arrears will be at their highest”.

Two did not give a specific time when they felt the qualifying week should be but felt it should be aligned with other heating benefits such as Child Winter Heating Assistance.

5. Timing, amount and format of payment

This chapter covers several aspects of the proposals for LIWHA. Firstly, it examines respondents' views on the move from multiple payments under CWP to a one-off payment each winter, and on the timings of that payment. It then outlines key themes in responses to questions around the amount and format of the LIWHA payment.

Payment timing

Q9. Do you agree or disagree with the proposal to have a one-off, annual payment for LIWHA?

Q10. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	65	28	23	3	43
%	55%	24%	19%	3%	

Q21. Do you agree or disagree with the proposal to pay LIWHA as an annual one-off payment each winter?

Q22. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	72	29	15	3	37
%	61%	24%	13%	3%	

In contrast to CWP which was triggered by a cold spell, LIWHA has been proposed as a one-off annual payment. Views on whether a one-off payment is appropriate were sought in Q9/Q10 and Q21/Q22. There were 43 open-ended responses to Q10 and 36 to Q22. This section presents an analysis of responses to both questions.

At each question a majority of respondents supported a one-off payment – 55% at Q9 and 61% at Q21. Organisations were more likely to support a one-off payment, though both groups recorded an increase in agreement between the two questions – individuals from 49% to 55% and organisations from 67% to 72%. There was no consistent pattern among respondents who changed their views, and their comments did not address why, but the largest proportion changing was individuals switching from unsure at Q9 to agree at Q21.

Multiple or split payments preferred

The most common theme in responses to Q10 and Q22 was a call for multiple or split payments. Respondents believed multiple payments would help recipients with budgeting.

This was mentioned particularly in relation to recipients on prepayment meters who may have high tariffs and variable costs throughout the winter. Energy Action Scotland noted that payments aligned with ‘real-time’ needs may best assist recipients.

A few respondents suggested two payments – one at the start of the winter and one in the middle – as an alternative. Another recommended four monthly payments over the winter.

“Low income families often have conflicting priorities in winter and budgeting can be an issue when bills suddenly increase. However, a one-off payment may get spent on other priorities and not improve the situation regarding heating over the coldest months. By spreading payment out over the colder months, it is more likely to go where its intended to and make those improvements” – Individual

“Many of the elderly residents in our area live in social housing fitted with prepayment meters etc and do not benefit from standardised monthly bills. Their budgetary needs may be better met by two payments during the short day light period.” – Individual

“Disabled people Inclusion Scotland consulted with disagreed about whether there should be a single payment or instead two payments spaced about a month apart. Whilst the majority accepted that a single payment might be administratively easier, and cheaper, to process some continued to believe that two payments might be more helpful in terms of assisting with household budgeting.” – Inclusion Scotland

The timing of the one-off payment in February was also a consideration mentioned by some. This is covered in detail in the analysis of responses to Q26.

Agreement with one-off payment

While those who agreed with the proposal were not prompted to explain why, Castle Rock Edinvar, OPFS and the Scottish Women’s Convention used the comments box to express their support of the one-off payment for the financial certainty it gives households. They highlighted recipients could plan more easily if they knew the amount and date of payment.

“Following discussions with recipients of Pension Credit and the current Cold Weather Payment ahead of this consultation response, we believe that an annual one-off payment would be most beneficial each winter. Any attempt to split the payment received down into smaller instalments would prove quite unhelpful to many households and detract from the desired impact of the policy.” – Age Scotland

“Agree- As previously stated a one-off lump sum payment paid during the winter months will give parents certainty and allow them to budget affectively. This will remove some of the stress that being in fuel arrears causes as people will know when the payment will be made therefore they will know how to forward plan to cover extra winter fuel costs.” - OPFS

A few respondents noted that a one-off payment would cost less to administer and would therefore simplify government budgeting.

Amount of one-off payment

While a small number specifically stated that the £50 payment should be split across multiple payments, some respondents proposed multiple payments totalling more than £50. In line with other respondents who advocated for an increase in the amount of the LIWHA payment, they suggested the one-off payment of £50 was insufficient.

“It should either be a higher one-off payment or given more than once.” – Individual

A few responses recommended alternate, higher, payment amounts, with some referencing the recent increase in fuel costs associated with the rise in the price cap. Views on the £50 payment rate are described in more detail in this chapter under Q18.

Discussions about payments in other chapters

Across Q10 and Q22, several respondents made comments which aligned with themes under other consultation questions. These included:

- Some noted their support for a programme that was weather dependent and generated multiple payments. This is detailed in analysis of responses to Q8.
- As addressed in greater detail under Q20, some respondents advocated for payments to be made directly to energy suppliers and others mentioned concerns regarding the misuse of LIWHA assistance by recipients.
- A small number mentioned the need to extend the eligibility criteria to include more lower income households, as discussed further in the analysis to Q12.
- A few respondents reiterated a belief that it was an unnecessary payment, especially during milder winters. Please see Q2 and Q8 for greater detail.

Q26. Do you agree or disagree with the proposal to make LIWHA payments to clients in February of each year?

Q27. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	34	62	19	4	69
%	29%	52%	16%	3%	

A majority of respondents (52%) disagreed with the proposal to make LIWHA payments to recipients in February each year. Twenty-nine per cent agreed, 16% were not sure and 3% did not answer. A majority of both individuals and organisations disagreed (52% and 53% respectively). There were 69 comments in response to Q27.

February payment is too late

Many respondents observed that a payment date in February is too late. They felt recipients need help earlier in the winter to cover heating costs when cold weather first arrives. This was the most common reason for disagreeing with the proposal.

Respondents who expressed this view included individuals and organisations such as Dumfries and Galloway Poverty & Inequalities Partnership, Energy Action Scotland, Citizens Advice Scotland, and Kirkpatrick Juxta Community Council.

“Cold weather does not wait for February and in cases of real need, the challenge of ‘feeding the meter’ or just being able to afford to put the heating on occurs throughout winter and not merely for one week.” – Individual

“This is too late within the Winter period for this payment to be made. Within our local area, cold weather can begin in early November and last until the beginning of April in any given year. If this payment isn’t made until February, this is too late for all of the cold weather experienced within November, December and January which are often the months when the coldest weather occurs.” – Dumfries and Galloway Poverty & Inequalities Partnership

Concerns were expressed for people using prepayment meters or unregulated fuels (oil or off-grid gas) as they pay for fuel in advance. Respondents who raised this issue included individuals and Energy Action Scotland, Age Scotland, OPFS, Inclusion Scotland, Christians Against Poverty, Castle Rock Edinvar and Child Poverty Action Group in Scotland.

“Those on prepayment meters have no choice in when they pay, but front loading their meter with credit prior to the coldest months would give them the opportunity to have a cushion for when it is worst. Paying the money pre-Christmas or early January would help with this.” – Castle Rock Edinvar

“Cold weather spells may be as early as November. For people who have a pay as you go meter - that means they will have to have paid out for their additional energy during the cold spells, at the time it happens. February could be a long time to wait for help with this money already paid out.” – Dundee Pensioners’ Forum

“Payment in February also fails to recognise the impact that this will have cumulative to other benefits or rebates intended to support households with energy costs. Loading payments to the tail end of the winter... is particularly harmful to low income struggling households. They may look to increase debt levels prior to receipt of payments or rebates which will remain an uncertainty until they are realised. This is particularly difficult for those with prepayment meters who are already paying a premium for energy. These households are budgeting on a daily and weekly at best basis.” – Energy Action Scotland

Another theme raised by several respondents was the cost of Christmas. These respondents suggested LIWHA should be paid around Christmas, to help families cover heating costs alongside the other expenses associated with that time of year.

“January might be a better time, as it’s just after Christmas expenses and temperatures drop.” – Individual

A few respondents noted the danger of people going into debt due to energy costs if they do not receive support earlier in the winter, and the negative impact this has on wellbeing.

“I would rather payment spread out over the colder months to help assist with heating costs etc and reduce numbers of people in arrears during the winter months as accumulating debt is harmful to their financial wellbeing and their mental wellbeing.” - Individual

Alternative suggestions for payment timing

Among respondents who called for an alternative payment month, the most common suggestion was January, followed by December. Respondents explained that a payment in these months would help to address the concerns about the cost of Christmas and about a February payment being too late.

November was the third most common suggestion, again because respondents felt the payment was needed earlier in the winter. There was another suggestion made by one respondent; the payment date should be in April to coincide with the end of the supply year as defined by energy companies.

Some, meanwhile, felt the payment should be spread out across the winter rather than having one payment date. The possibility of split or multiple LIWHA payments is covered in detail in response to Q10/22 above.

A few felt payment should be aligned with the payment times for other benefits such as the Winter Fuel Payment and Warm Home Discount.

“We believe that aligning the payment of the LIWHA with other benefits such as the Winter Fuel Payment would offer the most value, as it will allow recipients to begin the winter period with an exact figure of financial assistance that they will have available to them and allow them to budget accordingly. – Age Scotland

Agreement with February date

Some agreed with February as a payment date. These respondents did not always explain this view and where they did, their reasons varied. One argued it would allow time between the qualifying week and payment date for Social Security Scotland to process the benefit. This respondent also felt that the weather is worse after Christmas, while another referred to cold weather in February. One respondent suggested there should be two payment dates: one in November and another in February for recipients who were not eligible at the time of the first qualifying week. Another stated that they agreed with the proposal only if the payment was made early in February, and another felt that the payment should be made in January if it is a single payment, but could alternatively be split between December and January, or January and February.

Amount and format of payment

Whereas CWP currently pays £25 for each cold spell during a winter, LIWHA would comprise a one-off £50 payment annually. It is proposed that the LIWHA payment would take the form of a cash payment directly into a recipient's bank account.

Q17. Do you agree or disagree that the proposed rate of £50 for LIWHA is appropriate?

Q18. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	37	62	17	3	79
%	31%	52%	14%	3%	

Q17 asked respondents whether they agreed or disagreed with the proposed £50 rate. More than half (52%) disagreed with the proposal, almost a third (31%) agreed, and a sixth (14%) remained unsure. Although a majority of individuals and organisations disagreed with the proposed payment (53% and 50% respectively), organisations were less likely to agree (22% compared to 35% of individuals).

There were 79 open-ended responses to Q18, the highest of all consultation questions, showing many stakeholders felt the payment rate was an important issue.

Insufficient payment amount

Most prevalent among respondents who disagreed was the belief that the proposed rate of £50 is not enough. The main reasons among those explained their view were rising energy costs and the impact of location, which are outlined below. Other issues cited by small numbers included heating costs due to home working and the unpredictable effects of climate change. One respondent felt £50 may not be enough as inclement weather was becoming harder to anticipate.

“That might be enough for a single person living in a well-insulated home, but may not make much of a difference for a large family in a home with bad insulation, so I do think some people would need more than £50 in order for it to be of help.” - Individual

Some respondents suggested alternative amounts for an annual payment which they believed to be fairer. Most supported an increase to £100, while other recommendations ranged from £75 to £200 annually. One respondent suggested £50 would be sufficient in the long term if there was targeted help to manage the current rise in energy costs. Christians Against Poverty and Citizens Advice Scotland suggested a regular review of the annual payment amount to account for inflation and changes to heating costs.

Rising energy costs

Many respondents cited the impact of increased energy costs, specifically the energy price cap rise in April 2022. This was also raised at the stakeholder event. Comments included a view that the payment amount should be revised to meet the higher cost of fuel. Other respondents noted the extreme difficulty of those on Universal Credit and pension credits to deal with the fuel increases as low incomes remained stable.

“As the heating bills have increased dramatically, I would say double [£50] may make a slight difference.” - Individual

“The amount being considered is not enough to help anyone on low or even middle income to help pay for their heating over the winter months and with the increase in fuel prices in April and then probably again in October, it is a huge concern. People are currently not heating their properties - £50 is a help, but it's a tiny drop in the ocean to what people are needing. £200 would be better.” - Individual

“While Energy Saving Trust agrees that this approach is welcome and will help to tackle winter heating costs for people on low incomes, we do not believe that on its own it is sufficient to tackle winter heating costs for people on low incomes. Given the steep increases in fuel bills that people across Scotland are currently facing it is clear that existing steps (which include LIWHA) do not go far enough to mitigate these increased costs.” – Energy Saving Trust

Impact of location

The importance of location in determining heating costs was highlighted by several respondents. There was concern for those living in areas regularly affected by colder weather, who could lose support during bad winters. Some respondents expressed concern that the payment would not be enough for those in rural areas who may be off mains gas supply, who rely on oil or electric storage heating, or those living in the Highlands and Islands who pay more for fuel. More detail on this can be found in the analysis of Q8.

Energy efficiency suggestions

Alongside the payment, a few respondents suggested that the government should work toward improving heating costs by incentivising energy efficiency schemes for homes. An example was helping people move away from expensive storage heaters towards more sustainable alternatives.

Unnecessary payments

General disagreement with the payment principle was voiced by a few individuals. A small number thought that £50 was too high, stating that a payment during mild weather was unnecessary. Others questioned how it would be paid for and the impact on public spending.

Agreement with proposed amount

There were a small number of respondents who agreed that £50 would be fair. They suggested it was more than many eligible households might have received previously if

they live in areas less likely to experience cold spells. Two respondents noted the benefit of a one-off £50 payment to budgeting, as described in more detail earlier in this chapter.

Q19. Do you agree or disagree with the proposal for LIWHA to be given to clients in the form of a cash payment and not another form?

Q20. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	61	32	25	1	52
%	51%	27%	21%	1%	

Just over half (51%) of respondents agreed with the proposal for LIWHA to be given as a cash payment. One quarter (27%) disagreed and one fifth (21%) were unsure. Organisations were more likely to agree than individuals (72% compared to 42%). Responses to Q20 were given by 52 respondents.

Concern about how the payment would be spent

The most common reason for disagreement in responses to Q20, particularly from individuals, was a concern that a cash payment could be misused. In this discussion, some expressed an understanding that low income households may need to use the money for food or clothing rather than heating. Others were concerned it could be used for mobile phone bills, alcohol, cigarettes and gambling. They viewed this as a waste of public money.

A small number felt that timing the payment at an appropriate point could encourage recipients to use LIWHA for heating costs. As an alternative to cash payments, one respondent suggested a reduction in council tax payments.

Direct-to-supplier payments

Many respondents believed that payment should be made directly to energy suppliers. Some suggested payment could be transferred into the recipient's energy accounts or through varied options such as voucher systems, coded accounts or a reduction in fuel bills. A few respondents highlighted examples of other government programmes, such as Fuel Direct and Warm Home Discount, that pay in this way. Some of those who were concerned that cash payments would be misused suggested that direct payments to energy suppliers would mitigate their concern.

"I think the payment should be paid directly to your energy supplier so that they deduct it from your bill or credit your prepayment meter. That way the money is being used what it's supposed to be used for and not squandered on other things." - Individual

Organisations like Energy Action Scotland and Citizens Advice Scotland expressed some reservations about the cash payment model. While they supported financial assistance to

qualifying households, they questioned the impact of a £50 cash payment. Citizens Advice Scotland stated that while an increase in net adjusted income has the potential to improve fuel poverty rates, a decrease in fuel bills would have a greater effect on the rate overall. At the stakeholder event, Citizens Advice Scotland cited research which shows that payments to suppliers have a more direct impact on reducing fuel poverty than cash payments.

A few felt direct-to-supplier payments would mean people were only paying off existing debt, either in the form of bank overdrafts or arrears to energy companies. Citizens Advice Scotland suggested this may only be true of people on prepayment meters and advocated for identifying such households and using workarounds such as fuel vouchers.

“They may be in overdrafts and if this money was paid into a bank, it may be taken off and have no real benefit so another system such as vouchers was suggested.” – Scottish Women’s Convention

The potential cost and administrative burden to the government of paying energy suppliers directly was noted by a few respondents. By increasing the cost to administer the programme, respondents thought less money would be available to the recipients. While acknowledging these hurdles, Citizens Advice Scotland suggested LIWHA could be administered in a similar way to the Scottish Government’s Home Heating Support Fund.

Choice of payment option

Some respondents argued that recipients should decide on the best method of payment for them. Organisations and individuals both agreed cash may be preferred in some instances or a payment to a supplier in others. Energy Action Scotland called for more research into which payment method best guarantees recipients have access to heat and power during the winter.

“They should be given it in the form they desire e.g. direct payment to energy company, voucher for the coalman or cash.” - Individual

Confusion about cash

Some individuals believed a recipient would receive a payment in the form of coins or notes. They suggested the payments be made directly to the client’s accounts, as proposed, or paid by cheque.

Agreement with cash payment

Several respondents replied to Q20 and expressed various reasons of their support for a cash payment. A few organisations noted that a cash payment is destigmatising, treats the recipient with dignity, empowers them to make their own decisions and provides some certainty for budgeting. While Christians Against Poverty supported cash payments, they also stated that their clients are often open to multiple types of payment. The Scottish Women’s Convention noted that women could use the money to buy warmer clothes, thereby reducing the cost of heating in other ways.

“We strongly welcome the approach to continue to make these cash payments. To reduce poverty, it is important that the Scottish Government continue to focus on a cash first approach. This gives households the freedom to use the payments in the way that is best for their families, and ensure payments are in line with the principle in the Social Security Scotland Act – in particular the principle of treating claimants with dignity.” - Child Poverty Action Group in Scotland

Though they welcomed the budget being allocated to LIWHA and supported a cash-based payment, Save the Children questioned whether it may be preferable to add the LIWHA payment to existing payments to low income families.

“We are concerned that a separate payment to cover specific types of costs is compartmentalising poverty and there could be more effective and efficient ways of helping families living on low incomes. For example, could the contribution to eligible families be made through existing mechanisms such as the Scottish Child Payment or the scope of the Child Winter Heating Assistance scheme be extended to include more households with children living on low incomes.” – Save the Children

6. Redetermination and appeals

The Social Security Act (Scotland) 2018 gives individuals a right to challenge a decision made by Social Security Scotland if they believe it is incorrect. The Scottish Government has proposed that a redetermination request for LIWHA should be made within 31 calendar days of being notified of the determination. It is also proposed that Social Security Scotland should then have 16 working days, beginning on the day the request is received, to make the fresh determination. This chapter presents analysis of Q28 to Q31 which cover this redetermination and appeals process.

Q28. Do you agree or disagree with the proposal that clients have 31 days to request a redetermination?

Q29. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	85	15	12	7	16
%	71%	13%	10%	6%	

There was a high level of agreement with the proposal that recipients have 31 days to request a redetermination. Over seven in ten (71%) agreed, 13% disagreed, 10% were unsure and 6% did not answer. The same levels of agreement were recorded by both individuals (71%) and organisations (72%). There were 16 free text responses to Q29.

Additional time required

The most prevalent theme in comments from the minority of respondents who disagreed with the proposed 31 day period was that people would need additional time to request a redetermination. A few respondents described the potential difficulties that groups such as disabled people, older people, digitally excluded groups and rural communities could face in meeting this deadline. It was felt that these groups could need longer to prepare a request for a redetermination, particularly because they might lack confidence or need to access additional support.

“Those in particularly poor financial circumstances may not always have the confidence to challenge a determination, particularly over a relatively ‘small’ amount of money like £50. Enabling potential recipients to confidently respond and appeal without uncertainty is something for the Scottish government to consider.” – Christians Against Poverty

A few respondents suggested that longer timescales would be more appropriate. These include Child Poverty Action Group in Scotland, which called for individuals to have up to 13 months to request a redetermination, in line with the current CWP. An individual suggested 60 days. OPFS suggested 42 days in line with disability payments. Kirkpatrick Juxta Community Council felt that the period should be within one or two weeks, but did not explain why.

“In principle, we believe that someone in Scotland should have the same rights of appeal that they enjoy under the reserved system. A recipient of a Cold Weather Payment has up to 13 months to submit a mandatory reconsideration of a decision about their entitlement. Under the Scottish social security system an individual will only have 31 days – this is a significant erosion of their right to justice.” – Child Poverty Action Group in Scotland

Requests for clarity about the redetermination period

Two respondents required clarity on the proposal. One was unsure if the proposal referred to 31 working days or calendar days (although the consultation document refers to 31 calendar days). The other was not clear if there would be any scope for an individual who failed to request a redetermination within the 31 days to receive support later in the winter.

Given that recipients will be identified automatically and without an application, two respondents questioned how individuals would know about the payment and the possibility of requesting a redetermination. Similarly, two respondents argued that a redetermination process should not be necessary if clear information is given to potential recipients.

“More fundamentally, it is also unclear how the Scottish Government intends to communicate a nil award to consumers ineligible for the proposed replacement for CWP. As it is proposed that consumers would not have to apply for the benefit and there would be no obvious trigger for payment, it is unclear how consumers might reasonably be expected to identify that an error may have been made in the determination of their eligibility for financial assistance. Consequently, it is also unclear how consumers with an unidentified eligibility for the proposed replacement for CWPs might reasonably know that they had the right in law to challenge a nil award that they considered to be incorrect, or when the time period in which a request for redetermination to be set out in regulations might commence.” – Citizens Advice Scotland

"Ensuring that potential recipients are clearly informed should negate the requirement for a redetermination period. CAP would encourage high quality information be provided to households in advance of the qualifying date, to ensure that any errors are picked up and appealed by the households in question." – Christians Against Poverty

Q30. We have proposed that Social Security Scotland have a period of 16 working days to consider a redetermination of LIWHA. Do you agree or disagree with this proposal?

Q31. If you disagreed, please could you explain why?

Among all respondents (119)	Agree	Disagree	Unsure	No answer	No. of comments
Number	78	18	13	10	20
%	66%	15%	11%	8%	

Two thirds of respondents (66%) agreed with the proposal that Social Security Scotland should have a period of 16 working days to consider a redetermination of LIWHA. Fifteen per cent disagreed, 11% were unsure and 8% did not answer this question. While the same proportion of individuals and organisations agreed (65% and 67% respectively), individuals were more likely to disagree (19% compared to 6% of organisations). There were 20 responses to Q31, which explored disagreement with the proposal.

Another timescale preferred

Some respondents were concerned that a 16 day period is too long; this was the most prevalent theme in comments among the minority who disagreed with this aspect of the proposed approach. A few of these respondents emphasised that this is a long time to wait for people who need the money to pay for heating.

“16 working days is a fairly long time if you can't afford to heat your home or cook your dinner.” - Individual

Two suggested alternative, shorter timescales - one within 14 days and the other within ten. An individual suggested a system for prioritising particularly vulnerable cases such as those at risk of being cut off or with high risk family members.

Conversely, a few individuals felt that a longer period might be required. One felt there might need to be more time to “check the facts” while another said 30 days would be more appropriate in case of any staffing issues related to Covid-19.

Requests for clarity and further information

Citizens Advice Scotland noted that more clarity was required about when the 16 day period would begin. They noted what appears to be an anomaly in the consultation document, where on p25 it is stated that the 16 day period begins on the day the request is received, while on the following page there is reference to the period starting on the next working day. Citizens Advice Scotland also commented on the inconsistency between the use of 16 *working* days for LIWHA, when references to *calendar* days are more common in other benefits administered by Social Security Scotland. They felt consistency in how timescales are defined would be beneficial to consumers. In addition, an individual queried the timescales for informing recipients of the redetermination result.

Two respondents who answered ‘unsure’ to Q30 felt unable to make an informed comment on the suitability of the proposed 16 day period. Citizens Advice Scotland called for more details on the process for identifying eligible recipients before they could assess whether 16 days is realistic, while Moray Council commented that the suitability of the proposal would “be dependent on staff workloads and quality of investigation/information review”.

7. Other impacts and Impact Assessments

Consultation questions Q33 to Q37 asked respondents for any further information they wished to share about the impact of LIWHA. Analysis of responses to these questions is presented in this chapter, along with analysis of responses to Q32 and Q38 which asked respondents for any information on unintended consequences or the implementation of LIWHA.

A small number of respondents, such as Child Poverty Action Group in Scotland and Scottish Women's Convention, called for impact assessments such as Fairer Scotland Duty or Equality Impact Assessments (EQIA) to be carried out before impact is evaluated.

Q33. Please set out any information you wish to share on the impact of LIWHA on groups who share protected characteristics?

There were 41 open-text responses to Q33, though four of these comments were statements to the effect that they had nothing to add.

Disability and mental health

Among comments about groups with protected characteristics, the most commonly mentioned were people with disabilities and or mental health conditions which fall under disability as a protected characteristic. A few respondents believed that LIWHA would positively impact recipients with disabilities, noting this group may spend more time at home and often spend more on heating to maintain consistent household temperatures. One respondent noted that people with mental health conditions or learning difficulties may have difficulties managing and budgeting a one-off payment.

“We believe that LIWHA will provide a level of certainty to families on a low income raising a disabled child, in particular, those who are not eligible for Child Winter Heating Assistance. In a recent survey by Family Fund, 51% of respondents from Scotland indicated that they have to pay more for energy as a direct result of their disabled children’s conditions or illnesses. Households which include a family member with a long term health condition often have to use more energy in order to maintain a certain temperature, or due to a reliance on certain equipment.” – Family Fund

Age

A few respondents commented on LIWHA in relation to different age groups. A small number mentioned the burden of low wages and gig employment on young people who then struggle to pay fuel bills. However, unless they claim relevant benefits, they may not be eligible for LIWHA. Two respondents noted the impact on young children, which is addressed in more detail in Q34. One respondent mentioned pensioners who may be ineligible for LIWHA but in need of extra support to afford to keep their homes warm.

Other protected characteristics

While a few respondents highlighted the positive impact LIWHA could have on lone parents, two respondents suggested that the qualifying week could be problematic for single-parented households and women. They suggest that lone parents are more likely to

be in work with varying weekly hours, e.g. part time, shift or temporary workers. This means their circumstances and benefit claims may be different just before or after the qualifying week.

“This is unfair in particular to women (+90% of lone parents are women) who as a gender are more likely to be in part time employment. Thus, the use of a qualifying week may amount to indirect discrimination against female claimants as it would tend to disproportionately impact on them. Indirect age discrimination may also occur if a week, rather than a longer qualifying period, is used as younger workers are more likely to be dis-entitled because their hours of work are more likely to vary.” - Poverty & Inequality Commission for Scotland

Citizens Advice Scotland highlighted that Gypsy/Traveller communities often live in homes with lower levels of energy efficiency, and so those communities in colder areas of Scotland may be adversely affected by LIWHA.

Accessibility considerations

Several respondents addressed the need to ensure those with protected characteristics are both aware of LIWHA and have access to information. This includes considering:

- Digital exclusion and illiteracy, particularly among the elderly.
- Adjustments for people with disadvantages and impairments that make accessing information difficult.
- Implementing LIWHA with a diverse team who can provide information in multiple languages.

Respondents shared suggestions to ensure information about LIWHA and the associated benefits reaches all eligible households. These included national awareness campaigns, targeted publicity material, and delivery of information through a variety of channels.

“Consideration also needs to be given on encouraging take-up of qualifying benefits, e.g. pension credit, as even in circumstances where the monetary entitlement is relatively small, it will act as a passport benefit to the LIWHA payment.” - National Carer Organisations

Q34. Please set out any information you wish to share on the impact of LIWHA on children’s’ rights and wellbeing?

Around one quarter of respondents (27) provided open-text responses to Q34. Two stated that impact assessments and further details were needed before answering this question.

Positive impact

A common theme, mentioned by some respondents, was that LIWHA would have a positive impact on children. Respondents acknowledged the new scheme could provide an increase in income for eligible families, improving the health, wellbeing and development

of more children in Scotland. OPFS noted that the payment needs to be large enough to make a difference, but did not suggest what this level would be.

“My hope is a levelling up of life opportunities for the children of "low income" families who are being left behind & falling through the safety net.” - Eagle's Wings Trust Dundee

‘We believe that LIWHA will enable more children to enjoy their right to an adequate standard of living that is good enough to meet their physical and social needs and support their development. We also believe that it will support children to enjoy their right to the best possible health.’ – Family Fund

A few commented on the positive impact of LIWHA on children with disabilities. Two respondents acknowledged the potential to help meet the state’s responsibility under Article 23 of the UN Convention on the Rights of the Child³. However, the Poverty & Inequality Commission for Scotland also felt the amount of assistance was not high enough to fully ensure disabled children’s right to ‘enjoy a full and decent life’.

“Disabled children, can often lose out as well, because they need a lot of heating, but their guardians just can’t afford to put the heating on, or even the washing machine, because of issues with their energy suppliers, and then homes are filled with wet washing which causes even more cold issues in the home, which then in turn can and does effect children’s health.” - Individual

Negative impact

Another common theme was that some families with children could lose out under LIWHA. Respondents cited a few ways in which this could happen. A small number noted that some families with low income who are struggling to heat their homes will not be eligible as they do not receive the qualifying benefits. Related to the more general theme of some households being comparatively worse off under LIWHA (see Chapter 3), Citizens Advice Scotland noted that families in colder areas could potentially receive less money than under the CWP. They believe the negative impact on these children outweighs the benefit to others in urban areas who may receive more under LIWHA than they did previously under CWP.

Two respondents highlighted timing issues, providing examples of children born after the qualifying week who may miss out even if their household was otherwise eligible.

“There may be some children who are born after the third week in September and if this is taken as the qualifying week then we will have a situation where (unless there is another route to entitlement) that family will not qualify for the LIWHA. Also there will be some situations where a young or disabled child is living away from the parents, perhaps in foster care, and if they were to return home after the specified week then there would be no entitlement to the LIWHA” – Glasgow City Council

³ States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community

A few respondents thought LIWHA would not positively impact children. Their reasons included: the payment amount is too small; that it does not include children over the age of 5; the CWP is fairer, and that children may be adversely affected if the payment is spent on other things rather than paid directly to the energy supplier.

Other suggestions for how to have a positive impact on children were mentioned by small numbers. These included:

- In relation to LIWHA, extending eligibility to all homes with children and considering how many children live in a household. One called for a new, targeted approach for low income families with older children.
- Two respondents called for improved home energy efficiency.
- Two highlighted the need for any new assistance to align with existing benefits and social security. The Highland Council called for a 'thematic approach based upon multidisciplinary expertise and experience from a range of stakeholders'.

Q35. Please set out any information you wish to share on the impact of LIWHA on businesses?

Open-text responses to Q35 were given by 11 respondents, of which four stated they had nothing to add or contribute specifically in relation to the impact on businesses.

A small number gave comments about energy companies, but there were no consistent themes identified in these comments. One stated that if the payment was made directly to energy suppliers it would help their cash flow. Another stated that energy companies would be chasing less long-term debt. One felt that energy companies are profiteering and should be taxed appropriately; another suggested LIWHA should be paid for by taxing energy company's profits.

An individual and Citizens Advice Scotland highlighted that LIWHA could have an adverse impact on businesses and charities who support low income and vulnerable households during cold weather. They argued this would be particularly felt by organisations including community-based organisations and advice services who help people access assistance. Citizens Advice Scotland also pointed out that any increase in fuel poverty as a result of introducing LIWHA could create an additional cost to the NHS through associate ill-health, and that this should be considered when assessing the cost-effectiveness of LIWHA.

Other singular comments included: the impact of rising energy costs on businesses; businesses wanting to avoid higher costs; and that the payment could generate spend in a local area.

Q36. Please set out any information you wish to share on the impact of LIWHA on Island communities?

Responses to Q36 were provided by 22 respondents, with the most common theme being the higher rate of fuel poverty in island communities. Respondents cited several reasons islanders face increased fuel poverty rates. These include the comparatively higher cost of fuel and energy supplies, a lack of mains gas, the lack of an energy cap on coal and oil, the high cost of sustainable energy, and the poor energy efficiency of homes.

Some respondents called for LIWHA to have a greater recognition and consideration of these challenges. Two respondents disagreed with the timing of LIWHA payments as many residents buy fuel (oil or solid fuel) before the proposed February payment date.

“As stated previously, island communities may through necessity use fuel sources such as heating oil and wood suitable for burning as a heat source. As such, payment earlier in the winter might better support such households to be able to purchase adequate supply ahead of the coldest months when delivery can take some weeks to organise.” – Family Fund

Others suggested an additional or higher LIWHA payments for islands and rural areas.

“Rural areas can have higher distribution cost therefore an additional payment could be made to isolated areas. It may be rural areas which had 3/4 cold spells would have got £100 but will now only get £50. Also fuel costs are higher in rural areas.” – OPFS

“Island communities experience more extreme weather conditions and more costly tariffs than other parts of Scotland. Applying an uplift for Island communities would provide a proportionate rate of LIWHA when compared to the rest of Scotland.” – The Highland Council

“A rural uplift is proposed as part of the Fuel Poverty Act 2019 yet there is no meaningful attempt to align the LIWHA to the goals of the Fuel Poverty Strategy 2021 nor the Heat in Building Strategy.” – Energy Action Scotland

A small number felt island communities could lose out under LIWHA if they had received multiple CWPs in previous years (as described more generally in Chapter 2). Glasgow City Council suggested more information was needed to determine how many of those who received more than two CWP in any given year are living in island communities.

Conversely, some respondents, including Shetland Islands Council, Inclusion Scotland and Citizens Advice Scotland, noted how LIWHA could benefit island households. They noted that island temperatures infrequently fall below zero degrees Celsius because of the Gulf Stream, meaning that they rarely qualified for CWPs under the cold spell trigger. However, wind chill can still create low temperatures, resulting in greater energy use and spend in areas where costs are already higher. While some therefore argued that LIWHA could provide island households with some certainty, Citizen Advice Scotland felt LIWHA would make little material impact given the higher rates of fuel poverty in the islands.

“The Gulf Stream/North Atlantic Drift and the sea both tend to moderate temperatures in the islands (and indeed West Highland coastal communities). Despite this the impact of “wind chill” can result in the need for greater energy use. This is because wind speed tends to be higher in the islands making temperatures, which, according to the thermometer, are a little above freezing, feel more like minus four or five. Thus, the proposal to do away with the need for seven consecutive days of cold weather should benefit families in island communities as they will be certain of entitlement to £50 of assistance each winter.” – Poverty & Inequality Commission for Scotland

A small number of respondents expressed their support in broad terms, stating that any additional assistance to island residents and areas with high fuel poverty is welcome.

Q37. Please set out any information you wish to share on the impact of LIWHA on reducing inequality of outcome caused by socio-economic disadvantage?

Open-text responses to Q37 were provided by 25 respondents.

Some respondents stated LIWHA would reduce the inequality of outcome caused by socio-economic disadvantage but observed that the impact may be small.

“This new benefit should have a positive impact on reducing inequality of outcome caused by socio-economic disadvantage as it provides an additional benefit which is paid directly into the recipients bank account.” - Dumfries and Galloway Poverty and Inequalities Partnership

“Winter Heating Assistance will make a small contribution towards reducing the socio-economic disadvantage experienced by households containing disabled adults and/or children and that of families with younger children. However, it will come nowhere near actually meeting the additional energy costs that are experienced by households containing disabled people/children.” – Inclusion Scotland

A few respondents expressed concern that LIWHA will not positively impact the inequality outcomes caused by socio-economic disadvantage; for example ineligible households would still struggle to pay heating costs because of their low income. Citizens Advice Scotland noted that those in cold areas could lose out. A small number of respondents mentioned location of households on the impact of the payment. The varying weather patterns and heating costs across Scotland were highlighted and some respondents stated that LIWHA did not provide enough to account for the variation.

“Costs are variable but at this current time we are experiencing the biggest increases in living memory. A 54% increase for GB average dual fuel bills on 1 April. Yet the average dual fuel bill in Scotland is estimated to be 50% more than the GB average. Indeed in some of our island communities and off-gas areas bills can be 100% more. A failure to recognise this and adjust payments to provide some equity to achieve comparable comfort levels consigns these communities to continuing disadvantage and inequality.” – Energy Action Scotland

“Whilst the proposals do identify that some households will actually experience a reduction in the level of support with winter fuel costs as a result of the changes, they fail to fully acknowledge the potential impact on affected individuals' health and wellbeing and to set out how such impacts will be ameliorated.” – Family Fund

Ensuring LIWHA works in tandem with other programs was suggested by a few respondents. These included programs to ensure energy efficiency of housing and educational programs to assist in household financial management.

“Heating is more expensive for people who pay as you go or have prepaid meters or those who don't know how to shop around and perhaps have been left with a [higher tariff] after their energy provider ceased trading. This practise needs to be subsidised or stopped as its burdening those already burdened with money worries.” - Individual

Q32.Can you identify any potential unintended consequences which we have not considered in these proposals?

Q38. If there is anything else you would like to tell us about the described policy intention, impact assessments or LIWHA in general, please do so here.

Over half of respondents (56) responded to Q32 and just over one quarter of respondents (26) responded to Q38. However, almost all made or repeated points which they or others had already made in relation to other questions; these comments have been included in the analysis of the relevant questions. The summary below presents other points raised.

Singular comments on unintended impacts which did not align with existing themes included one individual who felt that LIWHA created a situation where benefits differed across the UK and another who asked for the needs of those undergoing cancer treatment who need to heat their home to be considered. Save the Children and Child Poverty Action Group in Scotland noted that the introduction of LIWHA could be an opportunity for greater sharing of social security to data to maximise incomes in Scotland:

“There is an opportunity to ensure data sharing across social security, and across the public sector in Scotland to maximise incomes. For example, data sharing agreements with the DWP must be such that they allow SSS to use the data on eligibility to LIWHA to increase take up of the Scottish low income benefits such as the Scottish child payment. At the very least, this data should be used in such a way as to ensure that families who are not claiming Scottish child payment are made aware of their entitled. Ideally it should be shared in such a way that it allows automation of payments. This will help Scotland meet its child poverty targets. Another example would be to have clear referral pathways between SSS and Warmer Homes Scotland – everyone eligible for a LIWHA also meets the current benefit criteria for a warmer homes discount. Data should be used in such a way as to refer recipients to Warmer Homes Scotland, or the equivalent scheme, to check eligibility for other energy saving measures. This will help Scotland meet its net-zero targets.” – Child Poverty Action Group in Scotland

Other singular comments included:

- The Scottish Federation of Housing Associations called on the Scottish Government to lobby the UK Government for wider social security reforms, to maximise the support available through devolved benefits, and to press for a clear timetable for reforms to the energy market. Their response also calls on the Scottish Government to take forward the recommendations of the Zero Emissions Social Housing Taskforce (ZEST) on approaches to improve energy efficiency in existing housing stock, including increased investment in social housing retrofit programmes, with a fabric first approach to help reduce energy demand, and a review of the EESSH2 targets to ensure alignment with fuel poverty and climate change objectives.
- A suggestion to include an information sheet with the payment to direct households to Home Energy Scotland and other agencies who could provide energy advice.
- Providing those on low incomes with small, newbuild accommodation which is easier to heat, and providing warm community spaces for teenagers or single parents.
- At the stakeholder event, one participant questioned how the policy would be evaluated. They suggested a logic model and a more detailed monitoring and evaluation plan should be in place before the policy is implemented.

A few respondents commented on the consultation itself. Citizens Advice Scotland and Inclusion Scotland urged the Scottish Government to ensure that draft Impact Assessments are available during a consultation so that stakeholders can scrutinise them and provide constructive feedback on policy proposals. Two organisations felt the consultation had the potential to exclude certain groups; Inclusion Scotland noted the lack of an easy read version of the consultation and Dumfries and Galloway Poverty and Inequalities Partnership felt the format of the consultation may exclude those who are interested in responding but do not have the 'social capital' to do so. One individual considered the consultation to be a box-ticking exercise.

8. Conclusions

In total, 119 consultation responses were received. Reflecting their experience and specific interests, this report provides a high-level summary of respondents' perspectives⁴. Together, these responses are an essential evidence base for the Scottish Government to draw on when finalising LIWHA to ensure it is delivered with dignity, respect and fairness.

There is broad support for LIWHA in several key areas: to remove the cold spell trigger (76%); for recipients to have 31 days to request a redetermination (71%); to replace the Cold Weather Payment (CWP) with a new benefit (70%); to give Social Security Scotland 16 working days to consider a redetermination (66%); to use qualifying benefits (64%); and provide an annual one-off payment each winter (61%). Three fifths (61%) agreed LIWHA is an effective way to tackle winter heating costs for people on low incomes.

Respondents also identified aspects of the proposals to improve, alter or reconsider. Core concerns included arguments that removing the cold spell criteria could mean some households in colder locations lose out, exacerbating fuel poverty. Several suggested other ways to support households in colder locations, and a small number called for a link to temperature or the existing CWP scheme to be retained. Respondents highlighted that not all people on low incomes receive state benefits; and that LIWHA might not reach all low income households who need assistance, for example pensioners and those experiencing in-work poverty. There was also a concern that including 'low income' in the name of the scheme could be stigmatising. Many felt strongly that the list of qualifying benefits should be expanded, and in particular, should include disability benefits. Although half (51%) agreed LIWHA should be a cash payment, several suggested LIWHA should be paid directly to energy suppliers.

There was less support for the proposed qualifying week where eligible recipients will be identified; 41% agreed with this approach. Respondents highlighted that some households could lose out if their circumstances change after the qualifying week. Over half (52%) disagreed with a February payment date, arguing it was too late, particularly for those using prepayment meters or unregulated fuel who need to pay in advance. January then December were put forward as more suitable alternatives. Over half (52%) disagreed with the proposed £50 payment rate which was seen as insufficient, given rising energy costs.

The range of views identified in the consultation provide a useful steer for any further development of LIWHA. However, given some of the variation in the views, priorities and concerns expressed in consultation responses, it is likely that any changes to the proposals will not satisfy all stakeholders.

⁴ For more detail, readers are encouraged to read individual responses where permission was granted for publication. Responses are published on the Scottish Government's consultation website: <https://consult.gov.scot/>

Appendix A: Consultation Questions

Q1. Do you agree or disagree with the proposal to replace Cold Weather Payment with a new benefit whose eligibility is based solely on receipt of a low income benefit and not on reaching a specific temperature for a period of time?

Q2. If you disagreed, please could you explain why?

Q3. Do you agree or disagree that this approach is an effective way for the Scottish Government to tackle winter heating costs for people on low incomes?

Q4. If you disagreed, please could you explain why?

Q5. Do you agree or disagree with the proposal to name the replacement for Cold Weather Payment (CWP) in Scotland “Low Income Winter Heating Assistance” (LIWHA)?

Q6. If you disagreed, please could you explain why?

Q7. Do you agree or disagree with the proposal to remove the requirement for a ‘cold spell’ to be identified in order for a client to receive a payment?

Q8. If you disagreed, please could you explain why?

Q9. Do you agree or disagree with the proposal to have a one-off, annual payment for LIWHA?

Q10. If you disagreed, please could you explain why?

Q11. Do you agree or disagree that our approach to identifying eligibility should be through the use of qualifying benefits?

Q12. If you disagreed, please could you explain why?

Q13. Do you agree or disagree with the proposal to retain the current qualifying benefits to indicate eligibility for this new payment?

Q14. If you disagreed, please could you explain why?

Q15. Do you agree or disagree that the eligibility criteria for the LIWHA are clear?

Q16. If you disagreed, please could you explain why?

Q17. Do you agree or disagree that the proposed rate of £50 for LIWHA is appropriate?

Q18. If you disagreed, please could you explain why?

Q19. Do you agree or disagree with the proposal for LIWHA to be given to clients in the form of a cash payment and not another form?

Q20. If you disagreed, please could you explain why?

- Q21. Do you agree or disagree with the proposal to pay LIWHA as an annual one-off payment each winter?
- Q22. If you disagreed, please could you explain why?
- Q23. Do you agree or disagree with the proposal to set a 'qualifying week' during which eligible clients for LIWHA will be identified?
- Q24. If you disagreed, please could you explain why?
- Q25. If you agreed, please indicate a preference for when you think the qualifying week for LIWHA should be?
- Q26. Do you agree or disagree with the proposal to make LIWHA payments to clients in February of each year?
- Q27. If you disagreed, please could you explain why?
- Q28. Do you agree or disagree with the proposal that clients have 31 days to request a redetermination?
- Q29. If you disagreed, please could you explain why?
- Q30. We have proposed that Social Security Scotland have a period of 16 working days to consider a redetermination of LIWHA. Do you agree or disagree with this proposal?
- Q31. If you disagreed, please could you explain why?
- Q32. Can you identify any potential unintended consequences which we have not considered in these proposals?
- Q33. Please set out any information you wish to share on the impact of LIWHA on groups who share protected characteristics?
- Q34. Please set out any information you wish to share on the impact of LIWHA on children's' rights and wellbeing?
- Q35. Please set out any information you wish to share on the impact of LIWHA on businesses?
- Q36. Please set out any information you wish to share on the impact of LIWHA on Island communities?
- Q37. Please set out any information you wish to share on the impact of LIWHA on reducing inequality of outcome caused by socio-economic disadvantage?
- Q38. If there is anything else you would like to tell us about the described policy intention, impact assessments or LIWHA in general, please do so here.

Appendix B: Sectoral Classification

Given the range of sectors represented by respondents, analysts created a broad level of classification for analysis purposes. Respondents were assigned to one of the categories below based on the nature of their organisation.

Table 1: Sectoral classification

Sector	Number of responses
Third sector	19
- Equality / rights organisation	14
- Anti-poverty	5
Local Authority / Community Council	9
Housing	5
Community organisation	2
Other	1
Unknown (Individual respondents)	83

Appendix C: Quantitative Summary

The following table outlines the results for each of the closed questions in the consultation. For each question, the table shows the number of respondents from the total sample of 119 who selected each response, and the corresponding percentage. The number of comments provided to each follow-up open-text question is also shown.

The total sample figures are then followed by the percentage response among all individuals (83) and among all organisations (36) who responded to the consultation.

Question	Base	Agree	Disagree	Unsure	No answer	No. of comments
Q1. Do you agree or disagree with the proposal to replace Cold Weather Payment with a new benefit whose eligibility is based solely on receipt of a low income benefit and not on reaching a specific temperature for a period of time?	No. of all (119)	83	26	9	1	41
	% of all (119)	70%	22%	8%	1%	
	% of individuals (83)	64%	28%	8%	0%	
	% of organisations (36)	83%	8%	6%	3%	
Q3. Do you agree or disagree that this approach is an effective way for the Scottish Government to tackle winter heating costs for people on low incomes?	No. of all	73	31	14	1	49
	% all	61%	26%	12%	1%	
	% individuals	55%	33%	12%	0%	
	% organisations	75%	11%	11%	3%	
Q5. Do you agree or disagree with the proposal to name the replacement for Cold Weather Payment (CWP) in Scotland "Low Income Winter Heating Assistance" (LIWHA)?	No. of all	57	47	14	1	55
	% all	48%	39%	12%	1%	
	% individuals	51%	36%	13%	0%	
	% organisations	42%	47%	8%	3%	
Q7. Do you agree or disagree with the proposal to remove the requirement for a 'cold spell' to be identified in order for a client to receive a payment?	No. of all	90	19	9	1	38
	% all	76%	16%	8%	1%	
	% individuals	71%	19%	10%	0%	
	% organisations	86%	8%	3%	3%	

Question	Base	Agree	Disagree	Unsure	No answer	No. of comments
Q9. Do you agree or disagree with the proposal to have a one-off, annual payment for LIWHA?	No. of all	65	28	23	3	43
	% all	55%	24%	19%	3%	
	% individuals	49%	29%	20%	1%	
	% organisations	67%	11%	17%	6%	
Q11. Do you agree or disagree that our approach to identifying eligibility should be through the use of qualifying benefits?	No. of all	76	30	11	2	46
	% all	64%	25%	9%	2%	
	% individuals	57%	31%	12%	0%	
	% organisations	81%	11%	3%	6%	
Q13. Do you agree or disagree with the proposal to retain the current qualifying benefits to indicate eligibility for this new payment?	No. of all	60	33	22	4	50
	% all	50%	28%	18%	3%	
	% individuals	48%	27%	23%	2%	
	% organisations	56%	31%	8%	6%	
Q15. Do you agree or disagree that the eligibility criteria for the LIWHA are clear?	No. of all	71	16	28	4	21
	% all	60%	13%	24%	3%	
	% individuals	52%	16%	30%	2%	
	% organisations	78%	8%	8%	6%	

Question	Base	Agree	Disagree	Unsure	No answer	No. of comments
Q17. Do you agree or disagree that the proposed rate of £50 for LIWHA is appropriate?	No. of all	37	62	17	3	79
	% all	31%	52%	14%	3%	
	% individuals	35%	53%	12%	0%	
	% organisations	22%	50%	19%	8%	
Q19. Do you agree or disagree with the proposal for LIWHA to be given to clients in the form of a cash payment and not another form?	No. of all	61	32	25	1	52
	% all	51%	27%	21%	1%	
	% individuals	42%	35%	23%	0%	
	% organisations	72%	8%	17%	3%	
Q21. Do you agree or disagree with the proposal to pay LIWHA as an annual one-off payment each winter?	No. of all	72	29	15	3	37
	% all	61%	24%	13%	3%	
	% individuals	55%	29%	14%	1%	
	% organisations	72%	14%	8%	6%	
Q23. Do you agree or disagree with the proposal to set a 'qualifying week' during which eligible clients for LIWHA will be identified?	No. of all	49	40	27	3	109
	% all	41%	34%	23%	3%	
	% individuals	39%	35%	25%	1%	
	% organisations	47%	31%	17%	6%	

Question	Base	Agree	Disagree	Unsure	No answer	No. of comments
Q26. Do you agree or disagree with the proposal to make LIWHA payments to clients in February of each year?	No. of all	34	62	19	4	69
	% all	29%	52%	16%	3%	
	% individuals	29%	52%	17%	2%	
	% organisations	28%	53%	14%	6%	
Q28. Do you agree or disagree with the proposal that clients have 31 days to request a redetermination?	No. of all	85	15	12	7	16
	% all	71%	13%	10%	6%	
	% individuals	71%	14%	12%	2%	
	% organisations	72%	8%	6%	14%	
Q30. We have proposed that Social Security Scotland have a period of 16 working days to consider a redetermination of LIWHA. Do you agree or disagree with this proposal?	No. of all	78	18	13	10	20
	% all	66%	15%	11%	8%	
	% individuals	65%	19%	12%	4%	
	% organisations	67%	6%	8%	19%	



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