

Cold Weather Payments (Wind Chill Factor) Bill (Bill 20 1996/7)

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The *Cold Weather Payments (Wind Chill Factor) Bill* seeks to clarify the way temperature is measured for the purposes of calculating entitlement to Social Fund cold weather payments. It proposes that wind chill should be taken into account when assessing temperatures. The Bill was 5th in the ballot for private members' bills and is due its second reading on 17 January 1997.

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A. Introduction and Summary

Non-discretionary additional benefit payments during exceptionally cold weather for recipients of income support (and previously supplementary benefit) have been part of the social security system for the last 10 years. During this period the system has undergone a number of developments and now payments of £8.50 are automatically made to certain recipients of income support during periods of “cold weather”. This is currently defined as a period during which the average recorded or forecast temperature is 0°C or less during seven consecutive days.¹

The *Cold Weather Payments (Wind Chill Factor) Bill* seeks to clarify the way temperature is measured for the purposes of calculating entitlement to Social Fund cold weather payments. It proposes that wind chill should be taken into account when assessing temperatures. Currently air temperature alone is used. Wind chill attempts to quantify the effective temperature of wind and air temperature together.

B. The Bill’s Provisions

The Bill, reproduced in Appendix 1, has two clauses.

Clause 1 would amend the current regulations governing cold weather payments.² It provides that temperatures should be measured taking account of wind chill. The current system of payments (detailed in the next section) allows payments to be made on the basis of recorded or forecast periods of cold weather and this clause inserts consideration of wind chill in the calculation of recorded and forecast spells.

The Bill does not define how wind chill will be incorporated into the formula for working out cold weather payments. The proponents of the Bill state this will be the subject of guidance issued once the Bill is passed.

Clause 2 details the formal citation for the Act should the Bill be passed.

¹ *Social Fund Cold Weather Payments (General) Regulations 1988* SI 1988/1724 (as amended)

² *ibid*

C. The Current System of Cold Weather Payments

Payments are made automatically from the Social Fund to certain recipients of income support during a period of cold weather. This is defined as seven consecutive days in which the average mean daily temperature is 0°C or less. Payments can be "triggered" by actual temperatures recorded during the past week falling below this threshold or if temperatures are forecast to do so by the Meteorological Office for the day of the forecast and the following 6 days.

Temperatures are monitored by the Meteorological Office on behalf of the Benefits Agency on a daily basis at a series of weather stations. These cover the whole country, with each station being designated a number of postcode areas. Benefit claimants' home addresses and associated postcodes are used to determine whether the area in which they live has triggered a cold weather payment.

A person is eligible for a cold weather payment if they are entitled to income support or income-related jobseekers allowance for at least one day in the period of cold weather and if they come into any of the following categories:

- with dependent child aged under 5
- in receipt of one of the following premiums:
 - pensioner
 - higher pensioner or enhanced pensioner
 - disability
 - severe disability
 - disabled child

Payments are paid at a fixed amount for each week of cold weather. This is currently £8.50.

In November 1995 there were 3.3 million income support claimants in Great Britain in one of these categories.³

³ *Income Support Statistics Quarterly Enquiry*

D. Meteorology

There are currently 70 weather stations throughout Great Britain used to monitor daily temperatures for the system of cold weather payments. Each covers an area defined in terms of postcodes and these are used to assign claimants to a particular weather station.

The average weekly temperature at each weather station, and any forecast period of cold weather, is provided by the Meteorological Office to the DSS on a daily basis throughout the Winter.

There are some fairly complicated rules about payments where there are overlapping periods of cold weather. Basically the rule is that if a day has been used once in a calculated period of cold weather it cannot be used again. Thus, if there is a week of cold weather recorded ending today a second payment would not be awarded until a further complete week had passed, even if the intervening days had triggered. If a payment has been triggered on the basis of a forecast then a further one cannot be made on the basis of recorded temperature using any of the days contained in the forecast.

E. Payments and Expenditure

The following table shows how spending has varied over the last 6 years, largely depending on the severity of the Winter but also the number of eligible claimants and rate of payment:

Social Fund cold weather payments - 1991/2 to 1995/6

Year	Number 000s	£000s
1990/1	1,700	8,600
1991/2	3,800	23,000
1992/3	2,500	15,000
1993/4	2,100	12,400
1994/5	11	77
1995/6	7,200	62,000

HC Deb 22 April 1996 c32w, DSS Press Notice 14 Oct 96

F. Development of the Current System

The system of cold weather payments has its origin in December 1986 when the previous system of payments based on local office discretion was replaced. The scheme was broadly the same as the current one except:

- it used a fixed Monday to Sunday qualifying period;
- it used a 'trigger' temperature of -1.5°C ;
- a claim had to be made for each cold weather period.

The groups qualifying were householders on supplementary benefit who were over 65 years of age, had children under 2 years or were sick/disabled. Payments were subject to a capital rule of £500.

In January 1987, during a period of very cold weather, Margaret Thatcher announced that payments would be made to all eligible people, regardless of whether or not their area had 'triggered'.

Also, during 1987 the 'trigger' temperature was raised from -1.5°C to 0°C .

In October 1988, the £5 per week cold weather payment scheme was incorporated into the new Social Fund. The following changes were also made:

- the qualifying period was changed to any seven consecutive days of cold weather (averaging 0°C or less);
- anybody over 60 years of age became eligible because of the link to the income support pensioner premium;
- help was extended to claimants with children under 5 years of age

In 1990 the capital limit was raised from £500 to £1,000 for people over 60 years.

In 1991, again during a period of sustained cold weather, John Major announced that as an exception, payments would be made to all eligible people regardless of their area.

The payment was also increased from £5 to £6.

In November 1991, a number of other improvements to the system were made:

- payments became automatic, there was no longer a need to make a claim;
- the capital rule was abolished;
- forecast periods were introduced.

From November 1994, payments were increased from £6 to £7 as part of the compensation package to take account of the introduction of VAT on domestic fuel.

In November 1995, the rate of payment was increased from £7 to £8.50. (It remained unchanged in 1996).

In November 1996, there were major changes made to the number of weather stations and their coverage.

Since the introduction of the scheme, various changes to the postcode areas and linked weather stations have been made.

G. Changes for Winter 1996/7

Following last Winter's experience when the severe weather meant a record number of payments being made, the DSS undertook a comprehensive review of the scheme⁴. This followed criticism from both the media and MPs during Winter 1995/6. Regulations came into force on 4 November 1996 which revised the system in the light of this review⁵.

The DSS' review was particularly concerned with the links between postcodes and weather stations, as during Winter 1995/6 a number of anomalies had been highlighted under the

⁴ Met Office *Recommendations by the Met Office for the Summer 1996 Review of the Cold Weather Payments Scheme* prepared for the DSS, August 1996

⁵ *The Social Fund Cold Weather Payments (General) Amendment Regulations 1996* SI 1996/2544

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system. Complaints often arose because the areas covered by the 55 weather stations split some urban areas. This could result in people in one part of a town or city getting payments and in another part not getting them. In 1995/6 this was illustrated by experience in London, where some areas were covered by the Stansted (Essex) weather station and others by a station at Heathrow. When one of these "triggered" but the other did not it resulted in some Londoners feeling unfairly treated compared to others. Also some weather station links seemed inappropriate and a number of representations from individual MPs along these lines were investigated during the review.

In addition, the DSS asked the Met Office to consider the potential for incorporating an allowance for the effects of wind-chill into the scheme.

With the exception of wind chill, the results of the review have largely been incorporated into the cold weather payments scheme. From 4 November 1996, when the Regulations came into force, the number of weather stations was increased to 70. This should improve the sensitivity of the scheme. The new areas are as shown in Appendix 2. Schedule 1 to the Regulations shows the full list of post-code to weather station links. As well as providing new weather stations, largely to take more account of local climatic variation - for example in Devon, Cornwall and Wales where inland (hilly and moorland) temperatures can be very different from those on the coast or where the relevant weather station was sited - the new weather station coverage also attempts not to split urban areas in the way the old system had done. Thus most of Greater London, for example, is now covered by one station - Heathrow.

Because of Met Office automation, not all the weather stations will necessarily be operational to the required level throughout the Winter. The Regulations therefore specify alternative stations to be used if data from the preferred station is not available.

It was not considered feasible to allow for the effects of wind chill in the scheme. The Met Office report concludes, "For much of the country the additional domestic heating requirements generated as a result of the effects of exposure of houses to wind are too small and too highly variable for there to be much merit in trying to allow for them within a Scheme essentially orientated around payments in respect of cold weather lasting up to a week."⁶

⁶ Met Office op cit Para 11.5

The Regulations also included income-related jobseekers allowance in the qualifying benefits. This replaced income support for the unemployed from October 1996.

H. Views of the Bill's Supporters

The Bill has all-party sponsorship and is supported by Age Concern. An Early Day Motion, number 235 of 1996/7, has been tabled by Audrey Wise which draws attention to her Bill and calls for a wider review of the cold weather payments system. To date it has 130 signatories.

The Bill's supporters point to the inadequacies, as they see them, of the present cold weather payments system:

- geographical anomalies in the linking of postcodes to weather stations;
- variations in the number of payments made from one station area to another, sometimes involving people on opposite sides of the same road receiving different numbers of payments;
- no account being taken of the effect of wind in combination with temperature;
- no account being taken of individual household circumstances, such as the nature of housing, insulation or type of heating;
- no payments for those who do not take-up income support.

Age Concern states it favours an extra payment to income related benefits during Winter months to replace the current cold weather payment system. It also believes there is a need for a programme to improve the energy efficiency of homes so that such payments would result in increased comfort rather than higher fuel consumption. However, it is unlikely that such a programme could be advocated successfully via a private member's bill and more limited adjustments to the current cold weather payments system are therefore proposed.⁷ In outlining her Bill, Audrey Wise echoes this line, asking Members who prefer a more universal system for their support on a “half a loaf” principle.⁸

⁷ Age Concern Briefing *Cold Weather Payments and Wind Chill Factor* Ref: 3096

⁸ *The House Magazine* 2 Dec 96 “Cold Weather Payments (Wind Chill Factor) Bill”

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I. Government Views

The Government accepted the recommendations of the 1996 Met Office review of the cold weather payments system⁹. This pointed out that the formula for calculating wind chill used in television weather forecasts is based on how cold the wind would make an individual feel when exposed to it outside. Although houses would also suffer a similar chilling effect they are likely to be different from those felt by people. Results of research show that the rate of heat loss is critically dependent on wind direction and the siting of a building and the effects of the same temperature and wind combination could vary considerably even between properties in the same vicinity. The Met Office points out that if it were found possible to include wind chill in the cold weather payments system, it would be necessary to reduce the trigger threshold below its present 0°C if the number of payments were to remain the same as they would be under the current system. It suggested a trial could be carried out if the DSS wanted to pursue consideration of wind chill to replace or complement the existing scheme. In the debate on the 1996 Regulations in standing committee Roger Evans said they were sympathetic to trials and investigations and "we are considering whether the Met Office model of assessing wind chill could be adapted for use in the scheme."¹⁰

More recently Andrew Mitchell, a junior social security minister, was reported as saying a study to assess the impact of wind chill on home heating was being considered.¹¹

⁹ Roger Evans to the Sixth Standing Committee on Delegated Legislation 18.12.96 c5

¹⁰ *ibid*

¹¹ "Minister may review cold bonus" *The Guardian* 3 Jan 1997

Appendix 1

Text of Cold Weather Payments (Wind Chill Factor) Bill

A Bill to provide that wind chill factor is taken into account in the calculation of cold weather payments.

1. (1) Article 1(2) of the Social Fund Cold Weather Payments (General) Regulations 1988 (as amended) shall be amended as follows.

(2) In the definition of "forecasted period of cold weather", after the word "celsius", there shall be inserted the words "(taking account of wind chill)".

2. This Act may be cited as the Cold Weather Payments (Wind Chill Factor) Act 1997.

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Appendix 2

Weather Stations and their Areas, November 1996

