



## Cold Weather Payments for winter 2010/2011

Standard Note: SN/SP/5811

Last updated: 23 December 2010

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Section: Social Policy Section

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Cold Weather Payments are made from the Social Fund to certain recipients of Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit during periods of very cold weather. To 'trigger' the payments, the average temperature at a specified weather station must be recorded as, or forecast to be, 0°C or below for seven consecutive days.

The payment is a fixed amount for each week of cold weather. For many years this was set at £8.50 a week but the Labour Government increased the rate to £25 a week as a temporary measure for winters 2008/2009 and 2009/2010. The Coalition Government has made the £25 rate permanent.

Payments are made automatically to those entitled to them. There should be no need to make a claim, but people who think they may be entitled but do not receive a payment should contact the Pension, Disability and Carers Service, or Jobcentre Plus.

The Library Social and General Statistics Section receives daily reports throughout the winter from the Department for Work and Pensions on which areas have 'triggered' Cold Weather Payments. The Directgov website also has a [search facility](#) which people can use to check if their postcode is in an area where payments have been triggered.

So far this winter £355 million in Cold Weather Payments has been paid out. This already exceeds the total of £290 million paid out for the whole of winter 2009/2010, which itself had unusually prolonged spells of cold weather.

Further background on the scheme can be found in Library standard note SN/SP/696, [Cold Weather Payments](#). Information is also available at [Directgov](#), and the DWP has issued a [Memorandum](#) on changes to the scheme for this year.

Cold Weather Payments are entirely separate from both the [Winter Fuel Payments](#) scheme and the annual '[Christmas Bonus](#)' paid to pensioners and claimants of certain other benefits.

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## 1 Who is eligible for a Cold Weather Payment?

A person is eligible for a Cold Weather Payment if:

- they or their partner receive Income Support, income-based Jobseeker's Allowance or income-related Employment and Support Allowance (in the assessment phase) for at least one day in the period of cold weather **and**:
  - o they have a dependent child aged under five; or
  - o they are in receipt of a pensioner, disability, severe disability or disabled child premium; or
  - o they are entitled to Child Tax Credit for a child or qualifying young person who is disabled or severely disabled; **or**
- they or their partner receive Pension Credit or income-related Employment and Support Allowance (main phase).

People who live in residential or nursing care and who receive a residential allowance are not however entitled to Cold Weather Payments.

## 2 How are payments 'triggered'?

Cold Weather Payments are made to eligible benefit claimants who live in postcode districts linked to weather stations which have recorded or forecast periods of severe cold weather (0°C or below) lasting for seven consecutive days.<sup>1</sup> The list of 91 weather stations and their associated postcodes for winter 2010/2011 are given in Schedule 1 of [The Social Fund Cold Weather Payments \(General\) \(Amendment\) Regulations 2010](#).<sup>2</sup>

The Meteorological Office uses the data from the weather stations to calculate a rolling seven day average temperature, and notifies the Department for Work and Pensions when a particular weather station 'triggers', so that payments can be made to eligible benefit claimants living in the associated postcodes.

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 a week of cold weather is recorded ending on a particular day a second payment cannot be awarded until a further complete week had passed, even if the intervening days have 'triggered'.<sup>3</sup>

The Directgov website also has a [search facility](#) which people can use to check if their postcode is in an area where payments have been triggered.

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<sup>1</sup> There are also provisions which allow data from specified alternative stations, or the nearest alternative station, to be used if data from the primary station is not available; see Schedule 2 of SI 2010/2442

<sup>2</sup> SI 2010/2442

<sup>3</sup> The rules on overlapping periods are described in greater detail in Vol 7 paras 39700-39714 of the DWP [Decision Maker's Guide](#)

### 3 How are payments made?

Payments should be made automatically to all those who are entitled to them; there should be no need for an individual to make a claim. When Cold Weather Payments are 'triggered', it normally takes three working days for payment to be made into the accounts of eligible benefit claimants.<sup>4</sup>

People who think they may be entitled but do not receive a payment should contact the Pension, Disability and Carers Service, or Jobcentre Plus.

The Cold Weather Payments 'season' runs from 1 November until 31 March the following year. Claimants who feel they may have qualified for a payment over the winter but did not receive it (e.g. because the birth of a child was not notified to the Department at the time) can make a claim for a backdated payment, provided they do so within 26 weeks of the end of the season. The Government argues that this rule – introduced from this year – 'strikes the right balance between giving the customer time to inform the Department of their circumstances after receiving their winter fuel bills and the administrative cost of retaining records on forecasted and actual periods of cold weather.'<sup>5</sup>

### 4 What has the Coalition Government done about Cold Weather Payments?

Between 1995 and 2007 the Cold Weather Payment was £8.50 a week for eligible claimants, but on 11 September 2008 the Labour Government announced that as part of its 'energy package' for winter 2008/2009 only Cold Weather Payments would be increased to £25 a week. In September 2009 it was announced that payments would again be made at the higher rate of £25 a week for winter 2009/2010.

Amending regulations are laid before Parliament around autumn each year to make minor changes to the Cold Weather Payments scheme for the coming winter, such as altering postcode to weather station linkages. Amending regulations laid before Parliament on 11 October 2010 made no provision to continue the higher rate, prompting concerns that the level of support would revert to the 'default' rate of £8.50 a week.

On 14 October *The Guardian* reported that the Prime Minister was 'ready to intervene' to prevent this:

David Cameron is to make a late intervention to block the plans of the work and pensions secretary, Iain Duncan Smith, to cut emergency cold-weather payments worth £25 a week to £8.50.

[...]

In a sign of the confusion surrounding the last-minute haggling before next Wednesday's spending review, one part of Whitehall said there was no possibility of retaining cold-weather payments at £25 a week, saying the payments had been a pre-election bribe by Gordon Brown for which he knew there was no money. The former

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<sup>4</sup> HC Deb 11 January 2010 c651w. For the small number of benefit claimants whose claims are maintained clerically, payment takes slightly longer, however.

<sup>5</sup> [Explanatory Memorandum to The Social Fund Cold Weather Payments \(General\) Amendment Regulations 2010](#), para 7.4

prime minister had raised the payment from £8.50 a week to £25 a week in the last two years.

However a Number 10 spokeswoman said: "David will not want to see cold-weather payments like these cut back down to £8.50 for some of the most poor and vulnerable in society. He will make sure this does not happen."

A statutory instrument on the payments for this winter, introduced into the Commons on Monday, failed to include the clause specifically raising the weekly payment to £25, so in effect cutting the payment to £8.50.

Other Whitehall sources said the decision on cold-weather payments was wrapped up in a wider review of welfare due to be announced next week. There are suggestions that ministers are reviewing the separate tax-free winter fuel payments, which, at the moment, are given to most people aged over 60. The payments, worth £250 a year, cost a total of £2.7bn.<sup>6</sup>

The Spending Review on 20 October confirmed that the £25 rate would be made permanent. Press reports before the Spending Review stated that the Chief Secretary to the Treasury, Danny Alexander, had managed to 'fight off' plans by the Department for Work and Pensions to reduce the payment to £8.50.<sup>7</sup>

The statutory instrument ensuring that the amount of the payment would continue to be £25 for this and subsequent winters was laid before Parliament on 25th October 2010.<sup>8</sup>

Already this winter, 14.2 million Cold Weather Payments have been made, totalling £355 million.<sup>9</sup>

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<sup>6</sup> 'Cameron to spare emergency cold weather payments: Plan to cut weekly amount from £25 to £8.50 blocked  
Confusion ahead of next week's spending review', *The Guardian*, 14 October 2010

<sup>7</sup> 'RAF mounts offensive to save ageing fleet of Tornado bombers from spending cuts: MoD fights rearguard  
action against Treasury Question mark over future of newly-ordered carriers', *The Guardian*, 14 October 2010.  
See also 'Ministers prepare for public outcry as Cameron and Clegg sharpen their axe', *The Times*, 16  
October 2010

<sup>8</sup> [The Social Fund Cold Weather Payments \(General\) Amendment \(No. 2\) Regulations 2010](#); SI 2010/ 2591

<sup>9</sup> HL Deb 20 December 2010 c891