

T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Ed Pybus  
Chair  
Scottish Commission on Social Security (SCoSS)  
Area 1C South  
Victoria Quay  
EDINBURGH  
EH6 6QQ

By email to: [info@socialsecuritycommission.scot](mailto:info@socialsecuritycommission.scot)

22 August 2025

Dear Ed,

I am writing to notify SCoSS that preparations are underway for the laying of Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025.

As outlined in my letter on 20 June, the UK Government announced an intention to expand eligibility to the Winter Fuel Payment (WFP) to those with an individual income of £35,000 or less per year. This decision was announced with no prior engagement with the Scottish Government, and Ministers and Officials worked at pace to understand the implications of the UK Government's decision. Following careful consideration of the options available, the Scottish Government has decided to mirror the approach taken by the UK Government for our Pension Age Winter Heating Payment (PAWHP).

Under the Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025, revised to mirror the changes made to the UK Government's Winter Fuel Payments, a person will be eligible for PAWHP if, during the qualifying week, they are of state pension age and meet the other eligibility criteria.

The draft Regulations provide that PAWHP will be a payment to all pensioners of £203.40 per pensioner household with no individual aged 80 or over, or £305.10 per pensioner households with an individual aged 80 or over. We are in discussion with the UK Government to extend the proposed arrangements in England and Wales to recover payments from those pensioners with an individual income of more than £35,000 through the tax system. The intention is that the payment will be recovered automatically, and pensioners will not need to register with HMRC for this or take any further action.

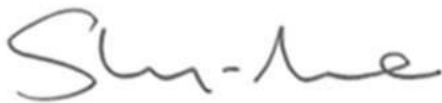
I would like to take this opportunity to thank SCoSS for their most recent scrutiny report provided on 16 June on the Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025, prior to the Scottish Governments decision to mirror the UK Government approach.

Unfortunately, given the significant time pressures to pass legislation, it has not been possible to afford you with the full scrutiny period before the revised regulations are laid in Parliament. Nevertheless, before the parliamentary process begins, I would like to provide you with a copy of the new Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025, attached separately, and invite you to carry out scrutiny. I have asked my officials to work closely with the Commission on any recommendations you wish to submit after the regulations have been laid.

I remain grateful to Members for the constructive engagement with the Scottish Government, for your previous report, and for your significant contribution to the development of these regulations.

I have also written to the Convener of the Social Justice and Social Security Committee notifying them that the amendment regulations have been submitted to the commission for scrutiny.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Shirley-Anne', written in a cursive style.

**SHIRLEY-ANNE SOMERVILLE**