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## **Social Justice and Social Security Committee**

# **The Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025 [draft]**



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# Social Justice and Social Security Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice excluding matters relating to housing and tenants' rights.



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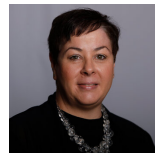
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# Introduction

1. This report sets out the Social Justice and Social Security Committee's consideration of the Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025 [draft] at its meeting on 18 September 2025.
2. The [minutes](#) of the meeting have been published on the Committee's web page. [The Official Report](#) of the meeting is available on the Scottish Parliament's website.

# The Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025 [draft]

3. The Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025 [draft] were laid on 25 August 2025. This instrument is subject to the affirmative procedure, which means it is for the Committee to recommend to the Parliament whether the draft regulations should be approved.
4. According to the [Policy Note](#), the purpose of the instrument is to extend the eligibility for the Pension Age Winter Heating Payment (PAWHP) to all pensioners in Scotland from winter 2025-26, providing financial support to help with heating costs during the winter months. The focus is on pensioners with annual incomes of £35,000 or less, who are most vulnerable to the effects of cold weather and are likely to be on fixed incomes.
5. The regulations will help mitigate the effects of high energy prices amid the cost of living crisis with standard payments of £203.40 or £305.10 per pensioner household (depending on age). Total household payment value may vary according to household composition.
6. The payments will be administered by Social Security Scotland from winter 2025-26. Payments will be recovered through taxation for pensioners with personal incomes over £35,000, ensuring support remains targeted. The extension increases recipients from 137,000 in winter 2024-25 to an estimated 860,000 in 2025-26.

# Consideration by the Delegated Powers and Law Reform Committee

7. The Delegated Powers and Law Reform Committee (DPLR) considered the Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025 [draft] on [9 September 2025](#) and reported on it in its [60th report, 2025](#) and raised no points in relation to the instrument.

# Consideration by the Social Justice and Social Security Committee

8. At its meeting on 18 September 2025, the Social Justice and Social Security Committee heard from Shirley-Anne Somerville, Cabinet Secretary for Social Justice and supporting Scottish Government officials.
9. In her opening statement, the Cabinet Secretary told the Committee that the regulations will be delivered by Social Security Scotland from winter 2025-26, providing £203.40 or £305.10 per pensioner household to help with heating costs. Payments will be recovered through taxation for those with personal incomes over £35,000, ensuring support is targeted. Around 1 million pensioners are expected to benefit, representing an investment of £187 million, with £30 million expected to be recovered from 169,000 pensioners. This will be the largest benefit administered by Social Security Scotland to date, requiring significant planning and co-operation with the Department for Work and Pensions and the Ministry of Defence to carry out the required period of data assurance and complete the household matching process to allow the Scottish Government to meet its target of beginning payments by the end of November.
10. During discussion, Members asked about the progress made in negotiations with the UK Government on tax recovery arrangements, including how this will operate in practice for Social Security Scotland and be reflected in the Scottish budget; the advantages of devolving the Winter Fuel Payment, given the policy shift from universal provision to an income threshold model; how the Scottish Government has weighed the administrative costs of allowing pensioners to opt out and back in within the same year against the potential savings such provisions may generate; and the timescale for payments.
11. The Cabinet Secretary confirmed to the Committee that she would provide an update on recovering funds once discussions with HM Treasury had concluded. The Cabinet Secretary stated that the advantage of a devolved Winter Fuel Payment is that the Scottish Government also provides a Child Winter Heating Payment and a low income guarantee. The Cabinet Secretary explained that the Scottish Government anticipates that only a relatively small number of people will opt out, so the overall cost is expected to be affordable. The Cabinet Secretary added that payments are expected to be made between November and December this year.
12. Following the evidence session, the Cabinet Secretary for Social Justice moved motion S6M-17854. The motion was agreed to without division.

# Recommendation

13. The Social Justice and Social Security Committee recommends that the Winter Heating Assistance (Pension Age) (Scotland) Amendment Regulations 2025 [draft] be approved.

