



# Advice NI Information Briefing Securing entitlement to the Winter Fuel Payment for 2024/25

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## Policy & Information Briefing

### Securing entitlement to the Winter Fuel Payment for 2024/25

*Advice NI examine the issue of Winter Fuel Payments, the proposed changes, and the importance of backdating Pension Credit applications to the Winter Fuel Payment ‘qualifying week’.*

The Winter Fuel Payment is a lump sum of money paid to those who have reached state retirement age. In previous years, the amount payable varied depending upon the age of the recipient, the benefits in payment and whether there were other eligible people in the household. Payment is usually in the weeks leading up to Christmas each year.

On Monday 29<sup>th</sup> July 2024 the Chancellor Rachel Reeves MP [made a statement](#) to Parliament outlining a change in eligibility for the Winter Fuel Payment:

We have inherited a projected overspend of £22 billion. That is a £22 billion hole in the public finances now—not in the future, but now ... today I am making the difficult decision that those not in receipt of pension credit or certain other means-tested benefits will no longer receive the winter fuel payment, from this year onwards. The Government will continue to provide winter fuel payments worth £200 to households receiving pension credit or £300 to households in receipt of pension credit with someone over the age of 80.

The Scottish Government [has confirmed](#) that it has no alternative but to replicate the decision in Scotland and restrict payments to pensioners who receive eligible benefits.

The Communities Minister in Northern Ireland [has also announced](#) that, for financial reasons, NI will maintain parity with the rest of the UK on this issue.

### **Who will now be eligible to receive the Winter Fuel Payment?**

To be eligible for the Winter Fuel Payment this year a person will need to:

- i. have reached ‘**pensionable age**’, and
- ii. be in receipt of a ‘**relevant**’ **benefit**

during the ‘**qualifying week**’.<sup>1</sup> This is the week beginning on the 3rd Monday in September, therefore the week commencing Monday 16<sup>th</sup> September 2024.

[State pension age](#) is currently set at 66, for men and women (it is due to increase to 67 between 2026 and 2028). Therefore, only those who were born before 23 September 1958 are eligible to receive the Winter Fuel Payment for 2024/25.<sup>2</sup>

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<sup>1</sup> Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2024, [regulation 2](#)

<sup>2</sup> nidirect, [Winter Fuel Payment](#)

The relevant benefits are as follows:

- Pension Credit
- Income Support
- Income-related Employment and Support Allowance (ESA)
- Income-based Jobseeker's Allowance (JSA)
- Child Tax Credit
- Working Tax Credit
- Universal Credit

## Ensuring those in need get help

Until this year, it was not necessary to be in receipt of a relevant benefit to receive the Winter Fuel Payment – rather, some payment was made to all people of pensionable age. This means that there is now even more reason for pensioners to check entitlement to low-income benefits.

[Pension Credit](#) is the benefit specifically designed to support people of pensionable age by topping up their income to an accepted minimum standard. This might be necessary because they are not eligible for the full state pension, or they have a disability or caring responsibilities that increases their need for support. Both members of a couple usually need to have reached pensionable age to claim Pension Credit.

As well as the Winter Fuel Payment, entitlement to Pension Credit can also link to other benefits available to pensioners:

- [Housing Benefit and Rate Relief](#) for renters;
- [Rate Relief](#) and [Support for Mortgage Interest](#) for homeowners;
- [help with health costs](#), including dental treatment;
- a [free TV licence](#) for those aged 75 or over.

We know that not all people who are likely to be eligible to receive Pension Credit make a claim, which means there are many pensioners in Northern Ireland who are not accessing the maximum income available to them.

Couples where only one partner has reached pensionable age will typically need to claim [Universal Credit](#) instead. Universal Credit is [replacing](#) a number of existing benefits for people of working age, including Income Support, income-related ESA, income-based JSA and Child and Working Tax Credit. It also includes support for housing costs.

We would strongly encourage everyone who is thinking of making a claim for Universal Credit to seek independent advice before they apply, to make sure that it is the right choice for them.

## What about pensioners who claim and are awarded a relevant benefit after the ‘qualifying week’?

This is a crucial question.

Benefit awards can often be ‘**backdated**’ to cover a period before the claim was actually submitted. Therefore, so long as the claimant’s award of the relevant benefit is backdated to include at least some part of the qualifying week of 16<sup>th</sup> to 22<sup>nd</sup> September 2024 then they will be eligible to receive a Winter Fuel Payment.

Rules on backdating for the relevant benefits are as follows:

- In the case of Pension Credit, awards can be backdated for up to 3 months.<sup>3</sup>
- Universal Credit applications can only be backdated for up to 1 month, and only in limited circumstances.<sup>4</sup>
- New claims for Income Support, income-related ESA, income-based JSA, and Tax Credits are no longer accepted.

For most people impacted by these changes Pension Credit will be the benefit they need to claim. Therefore, on 20 August the Department for Work and Pensions (DWP) announced a [Pension Credit awareness drive](#). This announcement encouraged pensioners “to apply by 21 December, the last date for making a backdated claim for Pension Credit, in order to receive the Winter Fuel Payment.” Since then, the UK Pensions Minister has [confirmed to Parliament](#) that “all pensioners will receive a letter explaining the changes to Winter Fuel Payments this year and encouraging anyone who may [be] eligible to claim Pension Credit by 21st December.”

Within the independent advice network we would encourage all pensioners on a low income to get in touch as soon as possible for advice about whether they might be entitled to receive Pension Credit. This will not only secure additional income for pensioners but will also secure entitlement to the Winter Fuel Payment for this and subsequent years.

At a Stakeholder Forum with The Pension Centre senior managers, Advice NI asked about the process in terms for backdating a claim for Pension Credit (who initiates the question of backdating, and especially ensuring that this is applied consistently across all access channels).

We were told that backdating will only be considered where it is explicitly requested by the claimant. The reason given was that claimants requesting backdating will need to verify entitlement from the earlier date – for example, they may have retained entitlement to working age benefits, such as tax credits or Universal Credit, beyond pensionable age. Therefore, automatic backdating cannot be considered.

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<sup>3</sup> Social Security (Claims and Payments) Regulations (Northern Ireland) 1987, [regulation 19\(2\)-\(3\)](#)

<sup>4</sup> Advice for Decision Making Guide [A2044](#); UC, PIP, JSA & ESA (Claims & Payments) Regulations (NI) 2016, [regulation 25\(2\)](#)

That being said, Pension Centre managers did confirm that agents do discuss the question of backdating with claimants on every telephone claim, and a question is included in both the [online](#) and [paper](#) claim forms.<sup>5</sup> We would encourage claimants to provide the earliest possible date from which they might qualify, and to seek independent advice about what that may be before submitting their claim.

## What about pensioners living outside of the United Kingdom?

Originally, Winter Fuel Payments were only made to people who were 'ordinarily resident' in Great Britain or Northern Ireland. In other words, to receive a payment the person needed to be living here. This was later expanded to include those people who were 'habitually resident' in an EU or EEA country, and after the UK's exit from the EU eligibility shifted to those people living abroad but covered by the terms of the following **reciprocal agreements**:

- the [Withdrawal Agreement](#);
- the [EEA EFTA separation agreement](#);
- the [Swiss citizens' rights agreement](#);
- the [UK-Ireland Convention on Social Security](#).<sup>6</sup>

The new rules applicable this year have largely maintained this approach.<sup>7</sup> However, the wording of the regulations are such that those people protected by the reciprocal agreements listed above will only be eligible for a Winter Fuel Payment if they are entitled to a benefit in their country of residence that is equivalent to one of the relevant UK benefits. As such, anyone entitled to a relevant UK benefit but living abroad would not be entitled to the Winter Fuel Payment.

In addition, and as our colleagues at the Centre for Cross Border Studies [have noted](#), [information at gov.uk](#) goes further and suggests that only those covered by the Withdrawal Agreement are eligible. This is a particular concern for those people who are living in the Republic of Ireland but working in Northern Ireland, as they would usually be expected to avail of the UK benefits system in the first instance.

Advice NI also raised this issue with senior managers in the Pension Centre and we were told that the government's intention is to remove entitlement to the Winter Fuel Payment altogether for people living abroad. However, due to the changes to entitlement introduced this year it was not possible to complete the associated legislative and policy action relating to cross-border entitlement in time. As a result, partial entitlement for those living abroad was maintained.

We have explained our concerns about this approach, particularly as it disadvantages cross-border workers, who are contributing to the UK social security system through tax and National Insurance, as well as the inconsistencies in the information provided. Pension Centre managers recommended that anyone affected

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<sup>5</sup> Guidance on responding to the questions relating to the date of claim are included on pages 16 and 17 of the [notes for the paper claim form](#). Telephone claims are made via the [Northern Ireland Pension Centre](#).

<sup>6</sup> [Social Fund Winter Fuel Payment Regulations \(Northern Ireland\) 2000](#)

<sup>7</sup> Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2024, [regulation 2\(3\)](#)

should **contact the [Winter Fuel Payment Centre](#)** to check eligibility. We would also encourage potential claimants to **[seek independent advice](#)** about the guidance they receive from the Department.

## What other support with heating bills is available?

It is important to note that the Winter Fuel Payment will not include the top-up provided in 2022/23 and 2023/24 in response to the cost-of-living crisis and exceptional increases in energy costs.

Payment amounts for the Winter of 2024 to 2025 will be as follows:

- £300 for anyone that has reached the age of 80 in or before the qualifying week, or whose partner has reached the age of 80;
- £200 for all others who are eligible for a payment.<sup>8</sup>

In her [recent speech to the Labour Party Conference](#), the Work & Pensions Minister suggested that the Household Support Fund could provide additional support to pensioners on a low income in England.

Northern Ireland has a different system, with [Discretionary Support](#) providing similar support to the Household Support Fund. However, whilst support for heating costs can be provided through a Discretionary Support loan, which must be paid back to the Department for Communities, fuel costs are explicitly excluded from Discretionary Support grant awards.<sup>9</sup>

The Minister for Communities, Gordon Lyons, did suggest in [a written response](#) in the Assembly that he was considering how additional funds from the block grant could potentially be allocated to make “a one-off hardship payment to those in receipt of state pension who will lose out on the Winter Fuel Payment this winter.” However, no further information is available at this stage.

There is also support available for low income households to make energy efficiency improvements through the Housing Executive’s [Affordable Warmth Scheme](#), as well as a number of similar schemes funded through the [Northern Ireland Sustainable Energy Programme](#) (NISEP). Information about both is available through the **NI Direct Energy Advice** helpline using an [online form](#) or by calling 0800 111 4455.

In addition, local services, like the [Belfast Warm & Well](#) project, offer advice and support with managing energy bills. [Local advice centres](#) will be aware of any similar services that may be operating locally.

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<sup>8</sup> Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2024, [reg. 3](#)

<sup>9</sup> [Discretionary Support Regulations \(Northern Ireland\) 2016](#), Schedule 2, paragraph 19



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