

## Factsheet 49

# Social Fund, Advances of Benefit and Local Welfare Provision

May 2017

### About this factsheet

The Social Fund is a scheme to help people with expenses that are difficult to meet from a low income and includes:

- Winter Fuel Payments
- Cold Weather Payments
- Funeral Payments.

Advances of Benefit are a form of payment that replaced the discretionary Social Fund and includes:

- Short-term advances
- Budgeting advances
- Budgeting loans.

Local Welfare Provision schemes are discretionary, intended to help people facing a crisis or short-term unavoidable need.

The information in this factsheet is correct for the period May 2017 – April 2018. Benefit rates and other figures may increase in April 2018 but rules and figures sometimes change during the year.

The information in this factsheet applies to England and Wales. Please contact Age Scotland or Age NI for their versions of this factsheet. Contact details can be found at the back.

Contact details for any of the organisations mentioned in this factsheet can be found in the Useful organisations section.

# Contents

<b>1 What is the Social Fund?</b>	<b>3</b>
1.1 Winter Fuel Payments	3
1.1.1 The amount of Winter Fuel Payment	3
1.1.2 When and how to claim	4
1.2 Cold Weather Payments	5
1.3 Funeral Payments	5
1.3.1 What will a Funeral Payment cover?	6
1.3.2 Capital and assets	7
1.3.3 Claims and payments	7
1.4 Challenging a Social Fund decision	8
<b>2 Advances of Benefit</b>	<b>8</b>
2.1 Budgeting Loans	8
2.1.1 Decisions and payments	9
2.1.2 Challenging a Budgeting Loan decision	9
2.2 Short-term Advances	10
2.3 Budgeting Advances	10
2.4 Challenging a decision	11
<b>3 Local Welfare Provision</b>	<b>11</b>
3.1 England	12
3.2 Wales	13
3.3 Scotland	14
3.4 Northern Ireland	14
<b>4 Help from charities and benevolent funds</b>	<b>14</b>
Useful organisations	16
Age UK	18
Support our work	18

# 1 What is the Social Fund?

The Social Fund is a DWP scheme to help you with expenses that are difficult to meet from a low income. It covers:

- Winter Fuel Payments
- Cold Weather Payments
- Funeral Payments

You qualify for payments by meeting the conditions of entitlement laid down in law for each type of payment. You have the right of appeal against decisions to refuse you these payments.

## 1.1 Winter Fuel Payments

Winter Fuel Payments are paid to pensioner households to help with the cost of fuel. They are paid if you have reached the minimum State Pension age for women during the qualifying week, which is the week beginning from the third Monday in September (for 2017, this is 18 September). For the winter of 2017/18, you qualify if you were born before 6 August 1953. There are no income or capital limits.

You do not get a payment if, during the qualifying week, you:

- are a care home resident receiving Pension Credit (PC), income-related ESA or income-based JSA
- are a prisoner
- have been in hospital for more than 52 weeks
- are subject to immigration control.

You usually have to be living in Great Britain in the qualifying week to receive a payment but if you are a UK citizen who lives in Switzerland or an EEA state (except Cyprus, France, Gibraltar, Greece, Malta, Portugal or Spain), you may be able to make a claim from your country of residence. You need to show a link to the UK social security system – for example, by receiving a UK State Pension.

### 1.1.1 The amount of Winter Fuel Payment

The amount of the payment depends on your circumstances during the qualifying week, which is 18 to 25 September 2017. Payments are tax-free and do not affect your other benefits.

See the table below for the amounts you may receive, depending on your household circumstances.

<b>Circumstance</b>	<b>Born before 6 August 1953</b>	<b>Aged 80 or over in the qualifying week</b>
<b>You qualify and live alone (or none of the people you live with qualify)</b>	£200	£300
<b>You qualify and get one of these benefits: Pension Credit, income-based JSA or income-related ESA</b>	£200	£300
<b>You live with someone under 80 who also qualifies</b>	£100	£200
<b>You live with someone 80 or over who also qualifies</b>	£100	£150
<b>You qualify and live with your partner or civil partner and they receive one of these benefits: Pension Credit, income-based JSA or income-related ESA</b>	Nil*	Nil*
<b>You qualify, live in a care home and do not get Pension Credit, income-based JSA or income-related ESA</b>	£100	£150

\* Your partner getting the relevant benefit is paid the Winter Fuel Payment on your behalf

### 1.1.2 When and how to claim

If you receive PC, ESA, JSA, Income Support, State Pension, Carer's Allowance, AA, PIP, DLA or certain other benefits or if you received a payment last year and your circumstances have not changed, you should be paid automatically before Christmas. If none of the above apply, you must make a claim before 31 March 2018.

#### **Action**

To make a claim or to enquire, call the Winter Fuel Payment helpline on 03459 15 15 15 or download a claim form from [www.gov.uk/winter-fuel-payment/overview](http://www.gov.uk/winter-fuel-payment/overview).

## 1.2 Cold Weather Payments

Cold Weather Payments of £25 a week are made during periods of very cold weather. Payments are made when the average temperature in your area has been, or is expected to be, 0°C or below for seven consecutive days.

You are entitled to Cold Weather Payments if you receive Pension Credit (PC). You are entitled to it if you receive income-related ESA, Income Support or income-based JSA and:

- your Income Support or income-based JSA includes a disability, severe disability, enhanced disability, disabled child or pensioner premium
- your income-related ESA includes a severe disability, enhanced disability or pensioner premium or the work-related activity or support component
- you are responsible for a child under five
- you receive Child Tax Credit with a disability or severe disability element.

If you receive UC, you are entitled if your award includes:

- a disabled child element
- a work capability element (including where it cannot be paid because a carer element is paid instead) unless you are in employment or are self-employed.

You cannot normally receive a Cold Weather Payment if you are subject to immigration control or are living in a care home.

Payments should be made automatically so you should not need to make a claim. If you have not received a payment, contact the office that administers your other benefit (eg. for PC contact the Pension Service).

### Note

For more information about heating see factsheet 1, *Help with heating costs* (in Wales, see Age Cymru factsheet 1w and in Scotland see Age Scotland's version).

## 1.3 Funeral Payments

You can get a funeral payment towards the costs of someone else's funeral if:

- you or your partner accept responsibility for the funeral and fall into one of the groups of eligible people to claim
- you or your partner receive a qualifying benefit
- the deceased was ordinarily resident in the UK when they died, and
- you claim within the time limits.

## Responsibility for the funeral

If you are the partner of the person who has died, the DWP should accept you have good reason for taking responsibility for the funeral expenses.

If the person who died did not have a partner, you can be considered for a Funeral Payment as a close relative or friend but you cannot normally get it if there are closer relatives or other equally close relatives who are not receiving a qualifying benefit.

## Qualifying benefits

You or your partner must receive one of the following benefits:

- Pension Credit
- Income Support
- income-based JSA
- income-related ESA
- Universal Credit
- Housing Benefit
- Working Tax Credit (that includes a disability or severe disability element)
- Child Tax Credit.

You cannot claim a Funeral Payment if you are subject to immigration control. The person who died must have been ordinarily resident in the UK and the funeral has to take place in the UK (or an EEA state or Switzerland if you are covered by specific European Union legislation).

### 1.3.1 What will a Funeral Payment cover?

A Funeral Payment covers some of the costs of a simple funeral including:

- buying a new burial plot and burial fees
- cremation fees including the medical costs of pacemaker removal
- up to £700 for other expenses including funeral director's fees, coffin, religious costs, flowers and transport costs (can be restricted to £120 if there is a pre-paid funeral plan that does not cover these expenses)
- documentation necessary for the release of the deceased's assets
- reasonable costs of one return journey within the UK for the responsible person to arrange and attend the funeral
- other transportation costs if the body of the person who has died has to be transported more than 50 miles.

Factsheet 27, *Planning for your funeral*, has more information about how to make arrangements for a funeral.

### 1.3.2 Capital and assets

If you apply for a Funeral Payment, your capital is ignored but the amount awarded is reduced to take into account:

- assets of the person who died that are available without a grant of probate or letters of administration (even if used for other purposes)
- payments from an insurance policy, occupational pension scheme, pre-paid funeral plan or similar source, made because the person has died
- contributions towards the funeral costs from a charity or relative
- a funeral grant paid by the Government for a war disablement pensioner.

If a Funeral Payment is awarded, it has to be repaid if sufficient assets become available from the estate of the person who died, for example after the grant of probate. The estate is money, property and other items owned by the person who died.

A house or personal items left to a widow, widower or surviving civil partner are not counted as part of the estate. Funeral expenses are a first charge on the estate and have priority over everything else including debts and bequests.

### 1.3.3 Claims and payments

You can claim a Funeral Payment from the date of death and up to three months after the date of the funeral. It is important to claim in time because late claims cannot be considered. The date of your claim is very important as you must receive a qualifying benefit on that particular date.

If your partner has died, you may need to make new claims for benefits like PC, ESA or Housing Benefit if the claims were previously in your partner's name or because you did not qualify before but you do now. Apply for these benefits before you apply for a Funeral Payment.

If your Funeral Payment application is refused because you do not receive a qualifying benefit, ask for that decision to be changed once you receive a decision that a qualifying benefit has been awarded, as long as the award is backdated to cover the date you made your Funeral Payment claim. Otherwise, you need to make a new claim provided you are within the three month time limit from the date of the funeral.

Funeral Payments are usually paid direct to the funeral director unless you have already paid the bill.

#### **Action**

You can get a Funeral Payment claim form, SF200, from your local Jobcentre Plus office or download it from Gov.uk. You can claim by phoning the Bereavement Service on 0345 606 0265 or textphone 0345 606 0285. Contact Age UK Advice or a local advice service if you need help with the application.

## 1.4 Challenging a Social Fund decision

If your application for any of the above is refused, you can ask the DWP to reconsider its decision, known as a mandatory reconsideration. If you disagree with that decision, you can then appeal directly to HM Courts and Tribunals Service.

It is important to challenge a decision or get advice as quickly as possible because there are time limits that generally mean you must act within one month.

See factsheet 74, *Challenging welfare benefit decisions*, for more information about reconsiderations and appeals.

## 2 Advances of Benefit

You may be able to be paid an advance payment, known as a short-term advance, if you are waiting for a decision on your claim or you are waiting to be paid and you can show you are in financial need.

Budgeting loans are being phased out for Universal Credit claimants, who must claim budgeting advances instead.

### 2.1 Budgeting Loans

Budgeting Loans are administered by DWP as part of the '*discretionary Social Fund*'. They can help with the cost of essential items you may find it difficult to save up for.

They can be awarded for items such as furniture, household equipment, clothing and footwear, travelling expenses, rent in advance, removal costs, home improvements, maintenance and home security measures, maternity and baby items and funeral costs.

You can apply for a Budgeting Loan if you have received one of the following benefits for at least 26 weeks:

- Pension Credit
- Income Support
- income-related ESA
- income-based JSA.

The loans are interest-free and range from £100 to £1,500 depending on your needs and ability to meet the repayments.

Any capital you have over £2,000 (£1,000 if you are under Pension Credit age, 63 and 9 months as of April 2017 and rising) is deducted from the loan.

Applying for a loan towards funeral expenses does not exclude you from applying for a Funeral Payment (see section 1.3).

## Action

You can get a Budgeting Loan claim form, SF500, from your local Jobcentre Plus office or the Gov.uk website. Contact Age UK Advice or a local advice service if you need help. After you apply you may be asked to attend an interview at the local Jobcentre Plus office.

### 2.1.1 Decisions and payments

There is no time limit for dealing with your application but decisions should be made without unreasonable delay. You should receive a written decision. If your claim is not agreed in full, reasons for refusal should be given together with an explanation of your right to ask for a review.

Any payment is normally be made direct to you, but the DWP can decide to pay a supplier directly, or to issue travel warrants. Payments are not taxable, are interest free and must be repaid within 104 weeks. You may be offered different options to repay your loan. They are normally recovered by weekly deductions from most benefits.

### 2.1.2 Challenging a Budgeting Loan decision

If you disagree with a decision you can ask for an internal review by writing to the office that made the decision within 28 days of the date on the decision letter. Say why you disagree with the decision. A late request for a review can sometimes be considered.

If the reviewing officer does not agree to change the decision in your favour, you should be offered an interview to put your case personally. This is usually done over the telephone rather than in person. You should receive a written decision with the outcome of the review.

If you are still unhappy with the DWP decision, you can request another review through the Independent Case Examiner. The decision letter from the DWP has information about how to do this. You must send the review request within 28 days of the date on the latest decision letter, or give reasons why it is late.

You cannot review a decision about the repayment terms of your loan. If you are finding it hard to manage the repayments, write to DWP and ask them to reduce the weekly repayments or extend the repayment period. Explain why the current repayment terms are causing you hardship.

## 2.2 Short-term Advances

If you make a new claim for a benefit, you may find yourself in financial difficulty before receiving your first payment. In these circumstances, you may be entitled to an advance payment called a '*short term benefit advance*'. An advance is available if you experience a change of circumstances that significantly increases the amount of benefit you are entitled to.

Any advance paid is later recovered by reducing subsequent payments of benefit until the whole amount of the advance has been repaid. Advances must be paid back within a specified period, agreed when the advance is awarded.

Advances are available if you claim a contribution-based or means-tested benefit, for example PC or ESA. You must be able to demonstrate you are in financial need. This means there is a serious risk of damage to the health or safety of you or any member of your family.

It is therefore important to provide as much information as possible about your circumstances including any health problems or disabilities you have.

There are different rules for Universal Credit claimants who must apply for a Budgeting Advance instead, see section 2.3.

### Action

If you need to apply for an advance, contact the office that administers the benefit you have applied for. If you need help, call Age UK Advice to find contact details for a local Age UK or contact an independent organisation.

## 2.3 Budgeting Advances

If you claim Universal Credit (UC), you must apply for a Budgeting Advance rather than a Budgeting Loan if you are eligible. The amount you can apply for and eligibility conditions are similar to those for Budgeting Loans.

In most cases, you have to have been getting UC (or had a continuous claim to another benefit and been migrated to UC) for at least six months. This may not apply if the Budgeting Advance is to cover expenses caused by you starting work or to stay in work.

Budgeting Advances are only available if you have a very low income for emergency and unforeseen expenses. The maximum amount that can be advanced is based on whether you are single or one of a couple and whether you are responsible for a child or qualifying young person. An advance is reduced by any capital you or your partner has.

Budgeting Advances are interest free and have to be repaid within 12 months although this can be extended to 18 months in exceptional circumstances.

It is not possible to claim a further Budgeting Advance until a previous advance has been fully repaid.

## 2.4 Challenging a decision

You can ask the DWP to look at its decision again if it refuses your application. You can ask for a revision if you think the DWP has:

- not looked at the right information before making its decision
- misunderstood information you gave in your application
- not followed regulations or guidance.

You can request a revision of a decision within normal time limits. These are one month after the notification of the original decision and, if you have good reason, up to 13 months after the notification.

There is no right of appeal if DWP refuse your request or refuse to change its decision, except in relation to repayment deductions. Your only option is Judicial Review, which you should seek legal advice about.

## 3 Local Welfare Provision

Local Welfare Provision schemes replaced community care grants and crisis loans as a source of support for people facing a crisis or short-term unavoidable need. They are administered by local authorities in England and the devolved governments of Wales, Scotland and Northern Ireland.

Payments from these funds are discretionary, which means you do not have a right to a payment even if you meet the qualifying conditions.

If unsure whether you will get help and are applying for assistance that does not have to be paid back, claim anyway as you have nothing to lose.

You may not be able to claim for an item that has already been paid for. Do not commit yourself to paying for an item until you have checked whether you can get a loan or a grant.

It is important to include all relevant information and explain why you need help. Decision makers have guidelines to follow when considering an application, taking into account the urgency and priority of your application, as well as how much money is available in their budget. You may not be able to appeal against a decision but you may be able to ask for it to be looked at again.

### Note

Some payments are in the form of a loan. Before you apply, make sure you are receiving all the benefits you are entitled to. If you can increase your income by claiming benefits, you be able to avoid the need for loans. Contact Age UK Advice to get a benefit check or use the benefits calculator on the Age UK website.

## 3.1 England

Local authorities are responsible for setting up Local Welfare Provision schemes. They have discretion to decide the support their scheme provides. Schemes vary from area to area and do not provide the same kind of assistance. Some local authorities do not offer cash help except in exceptional circumstances and this may be for small amounts. Welfare provision often takes the form of one or more of the following:

- services delivered by the local authority
- services delivered by other organisations for the Local Authority
- grants
- no interest loans
- Credit Union loans
- 'white goods', eg. fridges or cookers supplied directly instead of money
- prepayment cards
- vouchers
- payments made directly to a third party, eg. an energy supplier.

The qualifying conditions for schemes vary, but in general, you need to receive a means-tested benefit such as income-based JSA, income-related ESA, UC or PC. Local authorities can limit the number of awards made in any 12 month period.

### Action

Contact your Local Authority for details of the scheme available in your area and the qualifying conditions.

## 3.2 Wales

There is a national scheme called the Discretionary Assistance Fund (DAF) if you are in urgent need of assistance and have no other means of meeting the immediate cost of living.

If you receive help through this scheme it is in the form of a non-repayable grant, though you may not receive this in cash – for example, you might be given a prepayment card. There are two parts to the DAF:

**Individual Assistance Payments (IAPs)** are awarded to enable you to remain living at home independently (“there must be an identified risk that you cannot remain in your own home without [the IAP] grant assistance” – for example, “you could be having difficulties with personal or domestic tasks (such as cooking or shopping) and without grant assistance you will need to consider a care institution”).

Alternatively, they may be available if help is needed to ease exceptional and urgent pressures currently experienced by you and/or your family – for example, increased needs resulting from a chronic illness, disability or accident. The payments are designed to help with one-off, essential, purchases. You may be eligible if you get a means tested benefit such as Pension Credit, income-based JSA, Income Support, or income-related ESA. “The amount of any IAP an applicant can receive [will] be reduced, on a pound for pound basis, for any savings or capital that the applicant or their partner have”.

**Emergency Assistance Payments (EAPs)** are available for essential costs after an emergency or disaster – for example, if there has been a fire or flood in your home. Additionally, you need to show that you do not have access to other resources that would help you through the crisis.

More information can be found on the Money Made Clear Wales website – [www.moneymadeclearwales.org](http://www.moneymadeclearwales.org) – including ‘The Discretionary Assistance Fund: Guidance for Decision Makers’ which includes detailed information on who is eligible (including repeat applications), qualifying conditions, assessing priority and the decision-making process.

### Action

Decisions on whether to award an IAP or EAP are taken by Northgate Public Services, appointed by the Welsh Government to run the DAF scheme. Applications are made to Northgate Public Services. A local Age Cymru organisation (contact Age UK Advice for details) or a Citizens Advice Bureau may be able to assist with an application.

### 3.3 Scotland

There is a national scheme called the Scottish Welfare Fund which is administered by local authorities. Grants are awarded at their discretion according to greatest need and they do not have to be paid back.

You have to be on a low income, although not necessarily claiming benefits. There are two types of grant available:

- **Crisis Grants** to help you if you are in crisis because of a disaster or an emergency.
- **Community Care Grants** to help if you need support to prevent you from going into care or to help you leave care and set up your own home.

#### Note

Contact Age Scotland for more information or see guide 61s, *The Scottish Welfare Fund*.

### 3.4 Northern Ireland

There is a national scheme called Discretionary Support, administered by the Northern Ireland Social Security Agency. Discretionary Support aims to help if you are in urgent financial need as a result of a crisis or emergency. Your income and personal circumstances are taken into account when assessing entitlement and awards normally take the form of a grant or loan.

#### Action

Contact Age NI for more information about Discretionary Support and the qualifying conditions.

## 4 Help from charities and benevolent funds

If you have checked you are getting all the benefits you are entitled to and you cannot get any or enough help from the Social Fund, an advance of benefit or Local Welfare Provision, you could try charities and benevolent funds.

Grants from charities range from small amounts for food vouchers to large amounts for domestic goods like washing machines, cookers and fridges. Some may provide grants towards the cost of, for example, wheelchairs, housing adaptations or holidays.

Some trust funds can provide a small weekly or monthly allowance. Most charities do not provide large grants and you may want to apply to as many as possible.

Regular charitable payments are not usually taken into account as income for other benefits. One-off charitable payments only affect your benefits if they take your capital over certain levels.

There are many different charities and trusts in the UK ranging from those that consider helping anyone in need to those targeting particular groups. Occupational charities may assist if you worked in a particular trade or profession and sometimes help surviving partners and dependent children. Other charities focus on the armed services, particular religious groups, particular areas or specific illnesses and disabilities.

There are various ways of finding these charities. An annual *Guide to Grants for Individuals in Need* is published by the Directory of Social Change and should be available at your local library. It provides information about over 2,000 charities and many advice services. It has a chapter explaining how to make an application to a charity.

There are other organisations that help people identify potential sources of charitable help listed under Useful Organisations, such as Turn2Us.

Before you start to make a charitable application, it is useful to note as much of the following information as you can:

- address
- place of birth
- age
- marital status
- family responsibilities
- health problems
- a breakdown of your income and expenditure
- career and work history
- service in armed forces
- membership (past or present) of a trade union
- religion.

## Useful organisations

### **Charity Search**

[www.charitysearch.org.uk](http://www.charitysearch.org.uk)

Telephone 0117 982 4060

Charity Search provides a free service helping older people in financial need receive the support that may be available to them from a variety of charitable sources.

### **Citizens Advice Bureau (CAB)**

England or Wales go to [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Northern Ireland go to [www.citizensadvice.co.uk](http://www.citizensadvice.co.uk)

In England telephone 0344 411 1444

In Wales telephone 03444 77 20 20

National network of advice centres offering free, confidential, independent advice, face to face or by telephone.

### **Civil Legal Advice**

<http://find-legal-advice.justice.gov.uk/>

Telephone 0845 345 4345

A national advice line for England and Wales, paid for by legal aid. This service is available to people on a low income or benefits.

### **Disability Benefits Helpline**

[www.gov.uk/disability-benefits-helpline](http://www.gov.uk/disability-benefits-helpline)

DWP helpline providing advice or information about any claim for Disability Living Allowance, Personal Independence Payment or Attendance Allowance that you have already made.

### **Attendance Allowance (AA)**

Telephone 0345 605 6055

### **Disability Living Allowance (DLA)**

If you were born on or before 8 April 1948

Telephone 0345 605 6055

If you were born after 8 April 1948

Telephone 0345 712 3456

### **Personal Independence Payment helpline**

Telephone 0345 850 3322

### **Discretionary Assistance Fund**

[www.moneymadeclear.wales/discretionary-assistance-fund/](http://www.moneymadeclear.wales/discretionary-assistance-fund/)

Telephone 0800 859 5924 (free from landlines) or 033 0101 5000 (local rate number for calls from mobiles)

The Discretionary Assistance Fund (DAF) is available in Wales. There are two parts to the DAF scheme – Individual Assistance Payments (IAP) or Emergency Assistance Payments (EAP).

### **Gov.uk**

[www.gov.uk](http://www.gov.uk)

The official Government website providing information for citizens.

### **Independent Case Examiner**

[www.gov.uk/government/organisations/independent-case-examiner](http://www.gov.uk/government/organisations/independent-case-examiner)

Telephone 0845 606 0777

The Independent Case Examiner acts as an independent referee for people who feel that the Pension, Disability and Carers Service or Jobcentre Plus has not treated them fairly.

### **Jobcentre Plus**

[www.gov.uk/contact-jobcentre-plus/how-to-contact](http://www.gov.uk/contact-jobcentre-plus/how-to-contact)

Telephone 0800 055 6688

Part of the DWP, administers most benefit claims for people of working-age and the regulated Social Fund.

### **Pension Service (The)**

[www.gov.uk/browse/working/state-pension](http://www.gov.uk/browse/working/state-pension)

Telephone 0845 60 60 265

State Pension Forecasting Team 0845 3000 168

For details of state pensions, including forecasts and how to claim your pension.

### **Turn2us**

[www.turn2us.org.uk](http://www.turn2us.org.uk)

A charitable service helping people access the money available to them through welfare benefits, grants and other help.

### **Winter Fuel Payment Helpline**

[www.gov.uk/winter-fuel-payment-helpline](http://www.gov.uk/winter-fuel-payment-helpline)

Telephone 08459 15 15 15

This is part of the DWP and it deals with queries about Winter Fuel Payments.

## Age UK

Age UK provides advice and information for people in later life through our Age UK Advice line, publications and online. Call Age UK Advice to find out whether there is a local Age UK near you, and to order free copies of our information guides and factsheets.

### Age UK Advice

[www.ageuk.org.uk](http://www.ageuk.org.uk)

0800 169 65 65

Lines are open seven days a week from 8.00am to 7.00pm

### In Wales contact

#### Age Cymru

[www.agecymru.org.uk](http://www.agecymru.org.uk)

0800 022 3444

### In Northern Ireland contact

#### Age NI

[www.ageni.org](http://www.ageni.org)

0808 808 7575

### In Scotland contact

#### Age Scotland

[www.agescotland.org.uk](http://www.agescotland.org.uk)

0800 12 44 222

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