



FINANCIAL REDRESS FOR SURVIVORS OF HISTORICAL CHILD ABUSE IN CARE

Information Note 13

November 2021

Scotland's Redress Scheme – an update on progress

The two organisations which will run Scotland's Redress Scheme – Scottish Government and Redress Scotland – are working together to ensure the scheme opens as planned in December.

Information Note 13 gives updates from both Scottish Government and Redress Scotland on the latest progress.

What is the redress scheme?

As we get close to opening the redress scheme for applications, here is a reminder of some key information about what the scheme is and how it works.

- The redress scheme provides tangible recognition of the harm caused to survivors abused in relevant care settings in Scotland before December 2004.
- It offers an alternative to court action that is a faster, more survivor-focused route to redress. It also gives survivors access to acknowledgment, apology and support.
- Scotland's Redress Scheme is run by the Scottish Government and Redress Scotland.
- Case workers from the Scottish Government will support and communicate with applicants. The Scottish Government also provides other business and administrative support; but it is not involved in making decisions on applications.
- Redress Scotland is an independent organisation. Redress Scotland panel members will consider applications and make decisions on eligibility and levels of redress payment to be offered, based on available evidence.

Update from the Scottish Government

Our team of case workers who will support survivors with their applications have now joined the Scottish Government Redress Division and are being trained, ready for the scheme opening.

Alongside this, a wide range of other arrangements are moving forward. This includes:

- finalising application forms and guidance for applicants, incorporating feedback from a series of workshops with survivors;
- testing the IT system which will be used in the application process;

- finalising the statutory guidance which will be laid in parliament and published on the Scottish Government website when the scheme opens;
- concluding agreements with organisations which are planning to contribute financially to the scheme and continuing discussions with others which are considering contributing.

Tax and benefits agreements in place

We are pleased to confirm progress has been made on ensuring applicants to the redress scheme will see no negative impact on their benefits, tax, social care or legal aid entitlement as a result of accepting a redress payment.

We are working with the other administrations within the UK on final arrangements which will mean that, after receiving financial redress, applicants do not end up:

- losing their entitlement to tax reductions, access to legal aid or social care provision; or
- having their benefits reduced or stopped.

We have now secured a number of the necessary agreements or 'disregards'. This includes disregards for benefits administered by the Department of Work and Pensions (DWP). Some of the required disregards are already in place and a number will be in place very soon.

We hope this information will allay concerns some applicants may have had over any impact of a redress payment on their tax, benefits or social care entitlement. Detailed information and advice will be available to applicants when the scheme opens.

New Redress Support Service

Scotland's Redress Scheme has been designed and developed to offer survivors support at every stage of the process.

Trained case workers, working on behalf of the Scottish Government, will communicate with applicants throughout the application process and will be available to answer questions about:

- how to complete an application form;
- what documents to provide; and
- where to get further support.

Some people may feel they would benefit from additional support. In these circumstances, case workers will be able to refer applicants to a new **Redress Support Service** provided by the In-Care Survivors Alliance.

A team of link workers will be recruited by the Alliance and trained to support applicants. The Alliance will also draw on its existing network of over 70 delivery partners to provide support.

The service, which will begin when the scheme opens, will initially focus on help to access records and supporting documentation and, for those who need it, some emotional support.

Next year, as the scheme becomes established and the needs of applicants become clearer, the Redress Support Service will expand to offer further practical and emotional support.

There will also be an option at the end of the application process for survivors to access non-financial redress, which includes emotional support.

The Scottish Government commissioned the Redress Support Service by varying an existing agreement in place with the Alliance. Currently, the Alliance provides a wide range of support

for survivors of in-care abuse through the Future Pathways service. The new Redress Support Service will, however, operate separately from Future Pathways and will have its own governance and delivery arrangements.

Secondary legislation progresses

Secondary legislation, which sets out further detail on some aspects of the redress scheme previously agreed by Parliament, is making good progress.

As outlined in Information Note 12, secondary legislation, known as Scottish Statutory Instruments (SSIs), follow on from the Scottish Parliament unanimously passing the Redress for Survivors (Historical Child Abuse in Care (Scotland) Act 2021 in March this year.

On Wednesday 27 October, the Education, Children and Young People Committee took evidence from Deputy First Minister John Swinney on:

- the form of the waiver which will be signed by applicants if they decide to accept a redress payment offer;
- exceptions to the scheme's eligibility criteria, which includes short term respite and holiday care placements.

The Committee unanimously agreed to the draft SSIs on these areas together with further SSIs on reimbursement of costs and expenses, payment of legal fees and capital disregards for legal aid entitlement in Scotland.

You can view the committee session at www.scottishparliament.tv/meeting/education-children-and-young-people-committee-october-27-2021

The Scottish Parliament will consider the remainder of the draft secondary legislation over the coming months.

Thanks to survivors

The Scottish Government would like to thank all the survivors who have been in touch in recent months with questions and feedback, and in response to our requests. The views shared continue to shape developments across a number of important areas. Many individuals have offered ideas about the design of the scheme and about the survivor forum. Some recently gave their time and input into the selection of the first panel members for Redress Scotland.

Arrangements are now being finalised to appoint 11 panel members who will begin training later this month. Their role will be to consider applications to the scheme and make decisions on levels of redress payments.

The candidates were selected after a robust process which included interviews with panels of survivors. The panel members bring together a broad range of experience and expertise from social work, education, legal enforcement, psychology and the charity sector.

More appointments are due to be made next month and we will offer a further update in our next information note.

Update from Redress Scotland

A temporary team of staff are in place to support the set-up of Redress Scotland with recruitment now under way for more permanent staff members. Roles advertised include administrators, head of operations, head of people and head of finance and resources.

Shaping a new organisation

Survivors have also been involved in helping Redress Scotland, which came into being earlier this year, to develop its thinking and its communications.

StudioLR has been appointed to work on a website and the look and feel of the organisation. Survivors took part in two workshops in October with more engagement planned.

Feedback from survivors – including the need to make communications as clear and straightforward as possible – is now informing the work being done by StudioLR.

Meanwhile Redress Scotland Chair Johnny Gwynne and Chief Executive Joanna McCreadie have continued meeting survivor groups and other organisations with discussions helping shape the organisation.

They are keen to keep meeting and talking to people. If you would like to have a conversation about Redress Scotland and its work, please email: enquiries@redress.scot

Finding out more

- You can find out more about the Scottish Government's approach to financial redress for survivors of historical abuse in care at: www.gov.scot/redress
- If you wish to report your abuse, contact Police Scotland on 101 or Crimestoppers on 0800 555111.
- If you wish to tell the Scottish Child Abuse Inquiry about your abuse, contact them on 0800 092 9300 or email talktous@childabuseinquiry.scot
- If you need support, contact Future Pathways on 0808 164 2005 or email registration@future-pathways.co.uk
- If you find you are distressed you can contact Breathing Space free of charge on 0800 83 85 87 or the Samaritans free of charge on 116 123.