



FINANCIAL REDRESS FOR SURVIVORS OF HISTORICAL CHILD ABUSE IN CARE

Information Note 4

December 2019

A review of the Advance Payment Scheme has concluded that the age threshold for eligibility to the Scheme should be reduced from age 70 and over to age 68 and over. This is consistent with the purpose of the scheme and will allow more survivors who may not live long enough to apply to the statutory redress scheme to receive recognition and acknowledgement. The Advance Payment Scheme will remain open until the statutory redress scheme is operational.

In October 2018, the Deputy First Minister committed to establishing a statutory redress scheme, with legislation to be passed before the end of March 2021, subject to the approval of Parliament. The public consultation closed on 25 November 2019 and received more than 260 responses, the majority of which are from survivors. Thank you to everyone who submitted a response. The views expressed will help shape the legislation which will be introduced to the Scottish Parliament during 2020. The responses will be analysed independently and a summary report of the consultation findings will be published in early 2020.

Why was there a review of the Advance Payment Scheme?

The commitment to an early review formed part of the initial recommendation for Advance Payments. The focus of the review was to consider the number of applications and whether the age threshold could be lowered so more survivors could apply.

Why was the age threshold reduced to 68?

The review concluded that a reduction in the age threshold to 68 was consistent with the purpose of the scheme. It will allow more survivors who may not live long enough to apply to the statutory scheme to receive acknowledgement sooner. Although uncertainty over numbers remains a factor, based on the number and pattern of applications in the first five months of the scheme, a reduction to 68 is expected to be manageable. The focus of the scheme is on providing a sensitive, timely and trauma-informed service to applicants.

What do we know about the Advance Payment scheme so far?

As of end of September, 230 Advance Payments had been made, the majority on

age grounds. Applications were being dealt with quickly, on average within 26 days. The majority of applicants are from survivors living in Scotland, followed by those living in England. There has been a small but growing number of applications from survivors living abroad.

Can I still apply if I have a terminal illness?

Yes, the review has not changed the eligibility or the process in relation to terminal illness. Applications from those with a terminal illness are always prioritised by the Advance Payment Team.

Did the review cover anything else apart from the age threshold?

Yes, the review has also looked at overall scheme performance, the application process and guidance, in care records, and feedback. A revised application form and guidance has been published which contains some clarifications and minor changes. Anyone who has started completing an earlier version of the application form should continue to do so and can submit that one. If in any doubt, please speak to the Advance Payment Team.

Has the eligibility for boarding schools changed?

There has been a clarification to the eligibility around boarding schools. The guidance now reads *“In relation to boarding schools and any other type of residential school, the general principle is that residential pupils will not be eligible if their parents chose that place for their children’s education. Some exceptions may apply, for example if a local authority paid for residential places at a fee paying boarding or residential school”*. If you are unclear whether you may be eligible, we encourage you to contact the Advance Payment Team.

Is there any help available to try to get a written record of being in care?

The majority of applicants have been able to provide a written document that shows they were in care. For others, the Advance Payment Team has been able to help them work through their individual circumstances and to advise them on possible routes. The Scheme Advisers have developed a good understanding of the different ways to obtain a record, and have a network of contacts across care providers, local authorities, and other organisations. Applicants can also be signposted to specialist record search organisations.

Will there be another review of the age threshold?

No, there will be no further review of the age threshold. The Advance Payment Scheme

will cease to exist once the statutory redress scheme is up and running.

Has some of the detail of the statutory scheme already been agreed?

No, the detail of the statutory scheme has not been agreed or designed. We are aware there have been some media articles which referred to some aspects of the scheme as if they have been agreed. Please be assured this is not the case. Draft legislation will be published and scrutinised in the Scottish Parliament.

What happens next with the public consultation on the statutory scheme?

The consultation closed on 25 November 2019. Individual and organisational responses from those who gave their consent will be published online at <https://consult.gov.scot/redress-survivor-relations/financial-redress-historical-child-abuse-in-care/> in December 2019. There may be some media interest at this stage and there could be some news reports that some people may find distressing. Some of the published responses may contain views that some might find upsetting. Phone numbers for organisations that can help are provided at the end of this Information Note. All of the responses to the consultation will be analysed independently from the Scottish Government and a summary report will be published in early 2020. The findings will shape the draft legislation which will be scrutinised by the Scottish Parliament.

Finding out more

Details about the Advance Payment Scheme, including the application form and guidance, can be found at <https://www.gov.scot/publications/financial-redress-for-survivors-of-child-abuse-in-care-advance-payment-scheme/>. If you want to speak to the Advance Payment Team you can call them on Freephone 0808 169 9740. The phone lines are open Monday to Thursday between 10am and 4pm. Or email AdvancePaymentTeam@gov.scot.

Please note that the phone lines will close at 4pm on Wednesday 18 December for the holiday period and will re-open on Monday 6 January 2020. Application packs can still be downloaded online or requested on the automated phone line (0808 196 1436) during this time.

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.
