

Summary of options

This document has information about some of your key rights as you go through an application for Scotland's Redress Scheme



Scotland's Redress Scheme

Summary of options

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■ | Making, pausing and withdrawing an application

Making an application

To make an application to Scotland's Redress Scheme you must complete an application form and provide supporting documents. What forms you complete and what documents you provide will depend on:

- your personal circumstances
- what type of redress payment you are applying for

If you are applying for a fixed rate payment you will need to complete Part 1 and Part 2 of the form.

If you are applying for an individually assessed payment, you will need to complete Part 1 and Part 3 of the form.

Pausing and resuming an application

You can ask for your application to be "paused". This means you and Redress Scotland can stop working on your application but all your information is kept. Then if you decide to continue your application you do not have to start from the beginning.

You can pause your application at any point before Redress Scotland has made a decision about the payment you may be offered. When you are ready, you can resume your application.

If you want to pause or resume your application, you must:

- contact your case worker in writing (letter or email)
- let them know you are pausing or resuming your application

Withdrawing an application

You can "withdraw" your application any time before Redress Scotland has made a decision about the payment you may be offered. This means your application and any documents you submitted will be destroyed and you will not be contacted about it.

If you withdraw your application you can still apply again at a later time.

If you want to withdraw your application, you must:

- contact your case worker in writing (letter or email)
- let them know you are withdrawing your application

■ | Funding for legal advice

You may want to appoint a solicitor to support you through the application process. A solicitor can help you complete the application and discuss your options around:

- accepting a payment
- signing and returning a waiver
- how to ask for a review of a Redress Scotland decision
- alternative routes if you do not want to accept an offer from Redress Scotland

Funding is available to everyone and is not means tested. There is more information about funding for legal advice on page 9 of the "Help to apply" guidance.

■ | Accepting a payment offer and signing the waiver

When Redress Scotland makes a decision about your application you will receive a:

- “determination letter” telling you if you are offered a payment and the reasons Redress Scotland came to its decision
- waiver that you will be asked to sign to receive a payment
- copy of the “contributor list” as it was on the day Redress Scotland made its decision

You will have 6 months from the date you received the letter to decide if you want to accept the offer and sign the waiver.

Signing the waiver

If you are offered a payment and want to accept it, you will be asked to sign a waiver. You must sign and return the waiver to receive the payment.

The waiver is a legal document. It has important consequences on your rights to raise or continue civil court action related to your abuse. You are strongly encouraged to appoint a solicitor to help you with this. You can read more about legal advice on page 3.

The waiver asks you to agree that you will not start or continue any civil court action about abuse that is:

- eligible under Scotland’s Redress Scheme, and
- directed at the Scottish Government and organisations that financially contribute to the scheme and are on the contributor list you receive

You still have rights to raise or continue civil court action against anyone who is not on the contributor list that you receive with your offer.

Contributor list

Organisations are included on the contributor list if they have agreed to make a fair and meaningful financial contribution to Scotland’s Redress Scheme. This includes the Scottish Government, who are contributing to the scheme.

The contributor list is kept on **gov.scot/redress** because organisations may be added or removed from the list.

Because the contributor list can change over time, you will be sent a copy of the list as it was the day Redress Scotland made a decision on your application.

If an organisation is on the list you receive but does not make the contribution they had agreed, your waiver may be “revoked” (cancelled). You would then have the right to start civil court action against that organisation.

Alternatives to Scotland’s Redress Scheme

You may decide not to sign a waiver and give up your right to continue or pursue a civil court action. If you choose not to sign the waiver, there are other ways you can pursue redress. You are encouraged to discuss your options with a solicitor. Funding is available for legal advice to support you with your application and your options.

■ | Reviewing a decision

You can request a review of a Redress Scotland decision, including:

- whether you are eligible for a redress payment
- the amount of your offer
- any deductions from your redress offer because of a previous payment

You must do this within 8 weeks of the date you receive a determination letter.

Your review will be considered by a Redress Scotland panel. The panel will not have anyone on it who made the original decision you want to review.

Review decisions are final and you cannot request a further review about the same matter. You will get information on how to request a review when you receive a decision, or you can speak to a case worker at any point.

■ | Information and evidence to support your application

You must provide documents which:

- confirm your identity
- show you lived in a “relevant care setting” in Scotland as a child (17 years or younger) before 1 December 2004

If you are applying for an individually assessed payment you will need to provide further documents about your abuse. Information about the documents you can use is on page 33 of the “Help to apply” guidance.

You will need to provide a statement about your abuse. You can find more information on page 32 of the “Help to apply” guidance.

Depending on your personal circumstances you may need to provide other information or evidence. This is explained in the “Help to apply” guidance.

Support finding documents

You can get help to find and access records. If you cannot find documents, your case worker can help with other options that might be available to you.

All applicants can claim expenses for the cost of records and documents. You can find out more about expenses:

- by contacting a case worker
- in the expenses form and guidance available on **mygov.scot/redress**

■ | Rights to your personal information

You have different rights about how your personal information is kept and managed.

You have the right to ask to see any information that relates to your application and is held by:

- the Scottish Government
- Redress Scotland

The Scotland's Redress Scheme privacy notice explains how your information is used. You can read the privacy notice in your application pack, or on **mygov.scot/redress**

■ | Support available

You can access support throughout the application process. This can include emotional and practical support, as well as funding for legal advice.

Your case worker can help you access support and refer you to other organisations. Please let them know if you would like assistance.

There is more information available on all of these topics. You can speak to a case worker if you need more information about anything covered in this booklet.

- **Telephone:** 0808 175 0808 (freephone)
- **International:** +44 131 297 6500

Lines are open Monday to Thursday, from 10am to 4pm (except Scottish public holidays)

- **Email:** apply@redress-scheme.scot

