



Chair's Circular

Redress Scotland:

Chair's Circular Seven: Effective management of more complex applications for redress

To: All Redress Scotland Panel Members

From: Kirsty Darwent, Chair of Redress Scotland

Date: 25th September 2024

Re: Effective management of more complex applications

1. Background to this Chair's Circular

This Chair's Circular is aligned to my responsibilities as Chair for issuing guidance notes in the exercise of your functions as panel members under paragraph G5 of the standing orders, as well as helping give general information to panel members. When relevant and appropriate, I will distribute such guidance notes in the form of these Chair's Circulars. This Chair's Circular discusses the more complex applications for redress and the direct actions panel members should take to ensure they are managing these effectively.

2. More complex applications

Almost all applications for redress have complexity to them. However, there are also applications that are more complex and the reasons for this vary, from being types of applications that are received much less frequently to having a combination of factors that increase the complexity. As the volume of applications has increased, there has also been a commensurate rise in the number of more complex applications. These generally require very careful consideration from panel members, can involve increased support from the team and external advisors and can take more time to assess and complete the determination.

I have recently observed sitting days where there have been more complex applications, and some panel members have also raised how important it is to take full and proper care with these applications, especially when the type of application is more unusual.

3. Managing more complex applications effectively

The first step in effective management is to identify more complex applications at as early a stage in our processes as possible. This allows more time for any additional work to be completed; where appropriate, for further information or advice to be sought; and increases our ability to manage these applications robustly. Panel members should clearly identify the ways in which an application is more complex in their notes template. This supports the Chair when reviewing the notes, preparing the agenda for the sitting day and identifying any actions that may be taken in advance.

The second step is to recognise the need to take more time with more complex applications, and ensure that the assessment and determination process is as robust as possible. On the sitting day, a number of different approaches can be useful, including: allocating more time; considering how to schedule more complex applications during the day; taking a break from discussion; pausing the sitting day to ask team members or observers to provide an input; requesting advice from our external legal advisors; or any other action that supports the panel members in making a robust decision.

The third step is for all panel members to ensure they have reviewed all relevant legislation and statutory guidance, and any relevant legal advice along with any other relevant decisions. Where the application is of a type that is less common, such as a reconsideration due to material error or an application where there is a relevant previous conviction, it is essential that all panel members have familiarised themselves with all of these relevant materials. Links to these documents are now included in the emails to panel members for each sitting day, and further support is also available from team members.

Redress Scotland has maintained a high quality of decision making and we have all worked hard to deliver this. Taking the steps I have outlined above for more complex applications will ensure we continue to improve our knowledge while sustaining the current low rate of errors. We are all working to get our decisions 'right first time', and doing this requires a continued high level of professionalism, care and attention to the individual facts and circumstances of each application.

4. Next steps

The team will continue to develop the information and advice available to panel members, all of which will be available. The Practice Development Group will continue to have a key role in developing practice, and I particularly welcome the recent practice development notes on sexual and physical abuse which will be circulated soon. If there are areas of our work where we can further develop shared knowledge, these can also be considered.

I am fully confident that we can all manage the more complex applications effectively, and look forward to continuing to work with you all in the collective endeavour of delivering robust decisions for survivors.

Kirsty Darwent
Chair of Redress Scotland