

Non-Recent Child Abuse Support Payment Scheme



Summary of the consultation feedback

August 2021

Contents

1. Summary	3
2. Background.....	3
3. Main aims of the Support Payment Scheme	3
4. Methodology	4
5. Response to public consultation	4
5.1 Social media / online activities	4
5.2 About the respondents	4
5.3 The content of responses	6
6. Summary of feedback received	6
6.1 Purpose and Principles of the Support Payment Scheme	6
6.2 Eligibility for the Support Payment Scheme	7
6.3 Scheme duration.....	10
6.4 Making an application and administering the scheme.....	10
6.5 Other features of the scheme.....	11

1. Summary

- 1.1 Following the publication of a proposed support payment scheme (SPS), the Council carried out a public consultation to seek informed feedback to shape the final scheme for decision by the Council Executive.
- 1.2 The public consultation on the proposed scheme took place between 6 April and 2 June 2021. The consultation gave local people and organisations the opportunity to provide detailed comments on the Council's proposal. There were 43 responses to the consultation. A total of four responses were received from organisations and/or those who work with survivors.
- 1.3 There were several comments, suggestions and ideas about other aspects associated with overall redress principles, for example, justice achieved through the criminal justice system, lifelong corporate parenting and the physical legacy in the borough.

2. Background

- 2.1 On 18 March 2021, the Council Executive approved the proposed SPS to provide financial support for eligible survivors / victims of non-recent abuse suffered when in the council's children's homes and the associated consultation.
- 2.2 The proposed SPS will form part of a wider support offer which also encompasses a trauma service, specialist advice, support and assistance for care, housing, appropriate welfare benefits, access to further education and suitable employment and support to access to care records.

3. Main aims of the Support Payment Scheme

- 3.1 The SPS will provide a financial support payment of £8,000 to eligible survivors who suffered emotional (sometimes referred to as psychological), physical and / or sexual abuse from a council employee, a visitor introduced to a care home by the manager or member of staff or volunteer when placed by the council in Islington run children's homes between 1966 and 1995. Payments to eligible survivors will be made through a process that is as straightforward and quick to access as possible and minimises the need to re-live past trauma or the risk of further trauma or harm.
- 3.2 The SPS's focus is determining if the applicant is a survivor of abuse who satisfies the criteria of the scheme, rather than an analysis of the intimate details of the abuse. It thus avoids the need for survivors to undergo expert medical examinations or provide lengthy statements, with the 're-living' that would result from this. The SPS will facilitate support payments rather than present 'obstacles to be overcome' through a non-adversarial process. It does not require or adopt any standard of proof. It requires only that there be credible information and/or material of an applicant's eligibility. The SPS has an automatic review process to the Independent Review Panel where an application is not initially successful, and reasons will be given where an application is not accepted.
- 3.3 The SPS is not a compensation scheme and does not seek to evaluate in financial terms the consequences of abuse suffered. It will not determine any issue of fault, negligence, or legal liability. It has no bearing on any civil compensation claims that abuse survivors may bring save that it requires an applicant to agree contractually to offset any scheme payment received against any subsequent civil compensation claim payment and requires any prior civil compensation claim payment to be offset against a scheme payment.
- 3.4 An application under the SPS may be declined if there is information or material that the applicant has been involved in terrorism, links to a terrorist organisation, organised crime, murder, manslaughter and paedophilia ('adverse issues') and it would in all the circumstances be unconscionable for the council to make a payment under the SPS. The Independent Review Panel will be responsible for determining whether an application should be declined due to adverse issues.

4. Methodology

4.1 The Council consulted on:

- Guiding principles for the scheme
- Eligibility of who would be able to apply to the scheme
- The evidence requirements for payments
- Arrangements for making an application and scheme length
- How the scheme might be delivered including equalities issues that need to be considered

4.2 Engagement and participation in the consultation was encouraged from survivors and key individuals or organisations, including those working with or representing, survivors. Consultees were provided with a copy of the draft Scheme and the reasoning behind its terms. They were invited to provide comments or suggestions in relation to it within an original period of six weeks which was subsequently extended for an additional two weeks at the request of a survivors' organisation. Responses were collected via written or verbal feedback including an online consultation form.

4.3 The main method for collecting feedback was the consultation webpage and online feedback form. Information about the consultation posted on the Council's webpage (<https://www.islington.gov.uk/consultations/2021/non-recent-child-abuse-proposed-support-payment-scheme>) included:

- background information about the scheme proposal;
- the scheme [proposal document](#) and [terms and conditions](#), setting out the full details, including how long the scheme will be in place, who is eligible, and how the scheme will be administered links to an online feedback form
- information on what would happen once the public consultation period finished; and
- all comments and suggestions would be carefully considered before the scheme is finalised.

4.4 Individuals and organisations could also download and email either a completed consultation form, a general comments form or a format of their choice to the following email address: SPS.Consultation@islington.gov.uk

4.5 As part of the consultation approach, provision was made for an online meeting to give feedback, or to receive the documents in an alternative format.

5. Response to public consultation

5.1 Social media / online activities

5.1.1 The consultation webpage received a total of 293 views from 6 April to 2 June. The top three days for views were:

- 41 on 6 April (the day the scheme launched)
- 25 on 9 April
- 20 on 12 April.

5.1.2 Social media: There were a total of 6 tweets and 1 Facebook posts across the campaign. This reached 209.7k across Twitter and 316 on Facebook. Reach means it was displayed on the feed, but not necessarily seen by the audience. The campaign generated 34 link clicks, 11 shares/retweets and 8 likes. The top post by click was <https://twitter.com/IslingtonBC/status/1386575840050286595>, it generated 10 clicks. The top

post by reach was <https://twitter.com/IslingtonBC/status/1392132471383379968>, it reached 47.5k.

- 5.1.3 Stories were included in the Latest News bulletins on 9 April and 10 May, which is sent to 28k residents. These generated a total of 114 click throughs (9 April 79 clicks, 10 May 35 clicks) to the news release or consultation. The SPS consultation also received coverage in the [local press](#).

5.2 About the respondents

- 5.2.1 Responses were submitted by 4 organisations and/or those who work with survivors and 39 individuals (Table 1). The Islington Survivors Network (ISN) received responses from 84 ISN survivors to inform their consultation response, which is available on their website: [ISN Response to Support Payment Scheme Consultation – Islington Survivors Network](#)

Table 1: Types of respondent

Respondent type	n	%
Individuals	39	91%
Organisations	4	9%
Total	43	100%

- 5.2.2 Individual respondents who submitted responses directly to the council were invited to indicate if they identified as a survivor of abuse in care. Not all individuals answered this question. Among those who did, 82% identified as survivors (Table 2).

Table 2: Individual responses from survivors of abuse in care

Survivors of abuse in care	n	%
Yes, I am an Islington survivor of abuse in care	31	79%
Yes, I am a survivor of abuse in care but not from Islington	1	3%
Prefer not to say	1	3%
No response	6	15%
Total	39	100%

- 5.2.3 In total, 43 responses were received from individuals and organisations: 9 email responses and 34 online responses (Table 3). Table 4 shows 84% of respondents used the council feedback form to submit their response.

Table 3: Consultation responses by submission method

Submission method	n	%
Email	9	21%
Individual	6	
Organisation	3	
Online	34	79%
Individual	33	
Organisation	1	
Total	43	100%

Table 4: Consultation responses by submission format

Submission format	n	%
Council Feedback Form	36	84%
Submitted via email	2	
Completed online	34	
Other	7	16%
Total	43	100%

5.3 The content of responses

5.3.1 There are some important points to note about the quantitative findings and written comments from organisations and individuals.

- As noted above, over four-fifths of the responses completed using the council's consultation form came from individuals, most of whom self-identified as survivors of abuse in care. The overall quantitative findings presented are very much shaped by these views.
- Three of the four organisations reflected the views of survivors that they are in contact with in their responses. Organisations tended to provide longer, more detailed information than individuals. In general, individuals provided very short comments. Several organisational respondents chose not to respond to sections of the consultation.
- In relation to some elements of the consultation, some written responses suggested some misunderstanding of the issue being asked about or the specific wording of the question. However, to preserve the integrity of the original responses, these have not been 'corrected' in the narrative below.
- Finally, it was common for individuals, particularly those who engaged with the specialist independent facilitators to give their feedback, to provide personal accounts of abuse in their responses, sometimes without directly addressing the support payment scheme itself. While these accounts are important and need to be acknowledged, they are not covered in any detail in this report. There were several comments, suggestions and ideas about other aspects associated with overall redress, truth and reconciliation principles, for example, justice achieved through the criminal justice system, lifelong corporate parenting, the physical legacy in the borough and most significantly, sharing experiences of abuse in care to be heard with respect.
- Several respondents welcomed the council proposing an approach, acknowledging the issues for survivors and working in the interest of today's children and young people.

6. Summary of feedback received

6.1 Purpose and Principles of the Support Payment Scheme

6.1.1 As indicated above, 36 respondents used the council feedback form to submit their response. Respondents were asked whether they agreed the purpose of the support payment scheme, described as:

"A scheme to provide financial support for eligible survivors of non-recent abuse suffered when in the care of LBI [London Borough of Islington] social services.

It forms part of a wider support scheme which encompasses counselling, care support and specialist advice in certain fields.

The scheme's objective is to facilitate a support payment to eligible survivors through a process that is as straightforward and quick to access as possible, and minimises the need to re-live past trauma, or the risk of further trauma or harm."

6.1.2 Of the respondents who completed the council's consultation form, 94% agreed with the described purpose of the scheme.

Table 5: Purpose of the support payment scheme

Described purpose of the support payment scheme – do you agree?	n	%
Yes	34	94%
No	2	6%
Total	36	100%

6.1.3 Respondents were also asked whether they agreed with the guiding principles that should underpin the support payment scheme, described as:

- " - *To make the scheme as straightforward and accessible as possible;*
- *To treat applicants with fairness, decency and respect;*
- *To ensure that the assessment and decision-making process is robust and credible;*
- *To minimise the potential for further harm through the process of applying to the scheme."*

6.1.4 Of the respondents who completed the council's consultation form, 94% agreed with the guiding principles that should underpin the scheme.

Table 6: Guiding principles of the support payment scheme

Described guiding principles – do you agree?	n	%
Yes	33	94%
No	1	3%
Unsure	1	3%
Total	36	100%

6.1.5 Payment amount: Most respondents who commented on the payment amount emphasised that no amount of money could address the harm or put right the abuse that survivors had suffered. Several respondents suggested that the payment amount from the scheme should be increased from £8,000 to £10,000. Some respondents referred to the payment as disappointing citing comparison with Lambeth's Harms Way payment or the severity of harm experienced in care. Other respondents, whilst also concerned about the payment amount or the inability to achieve a civil claim, reflected on the flat rate approach, a simple process and the need for closure.

6.2 Eligibility for the Support Payment Scheme

6.2.1 LBI-run children's homes: The consultation documents proposed that the scheme would be based on two criteria:

1. where LBI had responsibility in place of the applicant's parent; and

2. that the applicant was a resident in an eligible LBI children's home, having been placed there by LBI.

It explained that the scheme was in response to abuse within LBI-run children's homes which meant that applicants who were abused in circumstances such as foster care, children's homes that were not run by LBI or boarding schools and abuse by other residents in the children's home would not be eligible to apply to this scheme.

6.2.2 Living survivors: The consultation documents also proposed to allow applications for living survivors only.

6.2.3 Time period to be used for the scheme: The consultation documents explained that the responsibility for children's homes formally run by the London County Council (LCC) passed to London local authorities during 1965. In 1995, the White Report of the Inquiry into the Management of Child Care in the London Borough of Islington was published. It proposed that 1966 to 1995 represented an appropriate period for the scheme.

6.2.4 Key points

- Of the respondents who completed the council's consultation form, 53% disagreed with the proposal to limit eligibility to situations where LBI had responsibility in place of the applicant's parent and that the applicant was a resident in an eligible LBI children's home, having been placed there by LBI. 31% of respondents agreed with the proposal.
- Among those who disagreed with the proposed eligibility, the most common argument was that all abuse should be treated equally. Some elaborated on this theme, emphasising that 'abuse is abuse' and that the impacts of abuse are the same wherever it occurs or that all survivors deserved to have an equal right to redress. Others reflected that, at the time, it was the responsibility and duty of the council to care for and protect children, ensuring they were safe from harm and had a safe environment to live, wherever they were placed.
- Some respondents emphasised their reality about the nature of how abusers operated meant that the abuse didn't only occur solely within children's homes, outlining that several become foster parents. This emphasized the argument that, at the time, it was the responsibility of the council to protect children wherever they were placed.
- Those who disagreed typically thought that key elements of the proposed eligibility required additional clarification or rationale for exclusion. Clarification on the list of LBI-run homes that would be used was also sought.
- Of the respondents who completed the council's consultation form, 69% agreed that 1966 to 1995 represented an appropriate period for the scheme. 17% of these respondents were unsure and 14% disagreed. A variety of alternative dates were suggested by both individuals and organisations who responded to the consultation for several reasons given. This ranged from going back further than the proposed date to up to the present day. One of the most common contexts was that the abuse was unlikely to have started or ended at the proposed time points. Several respondents were concerned about the time period used for support payment scheme would be unaligned to that used for the existing local support services for survivors.
- There were mixed responses to limiting eligibility to living survivors only. Multiple respondents expressed that the impact on families of deceased survivors was significant including where it was felt that survivors died due to the experiences and impact of childhood abuse.
- Some respondents suggested wider eligibility for the scheme than that described in the proposal. Overall, these were:
 - Those placed in small group foster homes if not already included;
 - Those who were placed in foster care;

- Those who were placed in boarding schools;
- Those who were placed by council in non-council homes;
- Those who were placed by other bodies in council homes
- Those who were placed in holiday placements;
- Those who were placed in B&B/hotel placements;
- Those who were placed in Hutton Poplars;
- Deceased survivors;
- Survivors who were in care with LCC (prior to 1966);
- Survivors who were in care prior to 1966 or subsequent to 1995; and
- 'all people in care.'

It was also proposed that there be 'complete flexibility' as regards those survivors who should be eligible and that applications should be considered on a case by case basis.

6.2.5 Types of abuse: The consultation documents proposed that the following types of abuse would be covered by the scheme:

- Emotional (sometimes referred to as psychological) abuse
- Physical abuse
- Sexual abuse committed by, or aided, abetted, counselled, or deliberately procured by a person who was at the time employed by LBI or was providing childcare services to children on behalf of LBI on a voluntary basis.

6.2.6 Key points

- Of the respondents who completed the council's consultation form, 69% agreed with the proposed types of abuse for inclusion within the scheme; 22% of respondents were unsure and 8% disagreed.
- Among those who disagreed or expressed concern across all individual and organisational responses, the following categories of abuse were proposed for inclusion:
 - Neglect
 - Peer on peer
 - Financial abuse
 - Exploitation
 - Racist abuse
 - Any abuse by a council employee
 - Separation of siblings
 - 'Pindown restraints'
 - Abuse perpetrated by visitors introduced to care homes by managers/staff at care homes.
 - Comments also questioned whether abuse perpetrated physically outside/away from the care home in question, for example whilst on a holiday or in a staff member's own home, is included.
 - The wording of the definitions of abuse cited in the scheme documents were also questioned and several suggested that existing definitions from statutory guidance were used.

6.2.7 Applicants who have had involvement in or connection to adverse issues: The consultation documents proposed that an application may be declined for ethical or moral reasons where an applicant has had an involvement in or connection to the following issues:

- terrorism
- links to a terrorist organisation
- organised crime
- murder
- manslaughter
- paedophilia

6.2.8 Key points

- Whilst some respondents acknowledged that this was understandable, there was also concern about declining an application where it would be considered unconscionable to make a payment due to adverse issues. Those who expressed concern typically outlined the link between childhood abuse, subsequent impacts of this experience including involvement in crime because of these experiences.

6.3 Scheme duration

6.3.1 The consultation documents proposed that the scheme would be open for applications for a period of two years.

6.3.2 Key points

- Amongst the respondents who completed the council's consultation form, 53% agreed with the proposed duration and 47% disagreed with it.
- Responses ranged from agreeing with a time limit to preference for no time limit at all. Some respondents suggested that two years is too short a period for the scheme and that five years would be appropriate. There was concern that survivors would not have sufficient time to submit their applications, often due to the courage or emotional readiness to come forward.
- Several respondents emphasized the importance of advertising the scheme widely so that as many survivors as possible were aware of the scheme. The Resident Impact Assessment action plan, published alongside the proposed scheme action plan, committed to establishing a regular communications and engagement plan to maximise awareness of the scheme and provide information in an accessible and supportive way. Several respondents suggested a variety of ideas as to promoting and publicising the scheme.

6.4 Making an application and administering the scheme

6.4.1 Key points

- It was suggested that there is a need to prioritise applications by survivors who are older or have long term health problems or life limiting conditions.

6.4.1.1 Practical help to make an application: The consultation documents asked about the practical help and support for survivors to make an application.

- Of respondents who completed the council's consultation form, 92% agreed that provision should be made by the scheme's support team to assist survivors to obtain documentary records required for the application process.

- The consultation documents proposed that the applicant's own account of the abuse suffered will be the key material for the scheme. Of the respondents who completed the council's feedback form, 72% agreed that the applicant's own account should be used as the key material. Several organisations who responded indicated that they would like to be involved in establishing or providing credible information and material.
- There were several comments related to ensuring the application form is suitably simple and empower survivors to complete. Within their response, several organisations either recommended preferred formats, content or expressed an expectation to work with the council to write or draft the application form.
- There were concerns were expressed about the confidentiality of, and anonymity for, any applicant who may work for council which may deter them from submitting an application. The confirmation checks were outlined as potentially intrusive which could also deter potential survivors from making an application to the scheme.
- A concern was expressed about the lack of any face to face input from applicants i.e. opportunities for an applicant to make representations in person during the application process. It was also suggested that the provision to dismiss an application in the event of repeated significant delay by an applicant in providing information or material is harsh, unrealistic and punitive.
- There were a variety of suggestions to ensure that survivors are supported to minimize any trauma that may be experienced during the application process and beyond. One respondent outlined a need for accessible counselling and emotional wellbeing support during and after the application process.
- Several respondents suggested that applicants should have the support of an advocate, guardian, partner, sibling or family member when completing the application form or assisting them throughout the application process. There was a mixed view about organisations who should support survivors with their applications.
- It was suggested that the use of the 'support team' within the scheme was confusing and that this is changed. There is an existing survivor support team based within Adult Social Care which provides practical care and support to survivors.

6.4.1.2 Assessing applications: The consultation documents asked about the key skills and knowledge required by the team making the assessment and decision for applications.

- Of the respondents to the council's consultation form, 97% agreed that that the key skills and knowledge required by the team making the assessment and decision should include legal knowledge and the understanding of complex trauma and its impact. Other comments related to the expertise and characteristics of the in-house and external teams who will be collectively administering the support payment scheme.
- Across all of the individuals and organisations who submitted a response, several respondents outlined that those assessing the applications should have knowledge of the history of the council's 'child abuse scandal' and an awareness of child abuse and the impact of abuse.
- Referring alleged or known child abusers: It was requested that publicly announced strategies/policies for referring alleged and known child abusers to the police and to the LBI council LADO.

6.4.1.3 Independent Review Panel: The consultation documents explained that an Independent Review Panel (IRP) will be in place for applications that do not meet the threshold to make a support payment. It outlined that the panel would consist of members with legal expertise, social work expertise and applicable charity work expertise.

- Of those who completed the council's consultation form, three-quarters of respondents agreed that the Independent Review Panel should consist of these three members. However,

across all responses, it was stressed that this could be extended to a fourth member and/or include a member with the lived experience of a survivor.

- There was an interpretation expressed that there was no appeal from the application decision. There was also concern about the 28-day period for applicants to submit further documentation to the IRP for their review.

6.5 Other features of the scheme

6.5.1 Other payments

- Of respondents who completed the council's consultation form, there was a mixed view about whether a **support payment from this scheme should be taken into account for any subsequent, related future civil compensation claim payment** for the abuse suffered. Just over half of these respondents (36%) agreed that the support payment should be taken into account. A third of respondents (33%) disagreed and 31% were unsure.
- Nearly two-thirds of respondents who completed the council's consultation form (64%) disagreed that **previous civil compensation claim payments received by an applicant should be taken into account in assessing the amount of the support payment from this scheme**. A third of respondents (33%) agreed.
- Across all responses, there were several concerns about this issue related to principles of fairness, that individuals should not be penalised for having pursued civil compensation or justice at a time when this scheme was not an option and conflation of the support payment scheme with civil claims.

6.5.2 Impact of benefits: The consultation documents explained that LBI is seeking an agreement with the Department for Work and Pensions (DWP) that a payment made under this scheme does not affect a person's eligibility for a social security benefit entitlement. In the absence of this, an applicant would need to notify the DWP that they have received a payment under this scheme. It asked how applicants could be supported to minimise the impact of receiving a payment under this scheme on their benefits entitlement

- Overall, many respondents highlighted that survivors' entitlements to benefits would be adversely affected by a scheme payment. It was felt that the scheme should not result in a worse situation for them and that the DWP should acknowledge the scheme.
- Suggestions and ideas for minimising the impact of receiving a payment from the scheme included:
 - Financial advice made available to survivors including money and business start-up advice
 - Part-payments or instalments made over two years for those on benefits, if required or requested
 - Payments held in a trust and discharged including for those where there are concerns about exploitation or where receipt of the payment could negatively harm them
 - Employment support

6.5.3 Feedback from survivors on the scheme once it is in place: There was support from respondents about the inclusion of a feedback mechanism to continuously understand and improve survivors' experiences of the scheme. There was a suggestion to include organisations who supported survivors in periodic reviews of the scheme. There should be a facility for both applicants, survivors, ISN, other survivor support groups or anyone else interested to provide feedback whilst the scheme is operational.

6.5.4 Database: There were concerns about a proposed database and the issue of prior claimants providing their consent to being included in the proposed database and being protected.

