

H L HEALTH BOARD CIC

Investigation of the Windrush Compensation Scheme (Expenditure) Act 2020 for health, safety, and psychological wellbeing across the Commonwealth realm, with particular attention to children, adults, the elderly, and members of the Windrush generation.

2026 /2027

Prepared for: Parliament and Local Authorities (England, Wales, Scotland and Northern Ireland where applicable)

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Foreword

The Windrush Compensation Scheme was established to address profound historical injustice. However, financial redress alone cannot fully repair the psychological harm, health deterioration, family trauma, and systemic mistrust experienced by the Windrush generation and their descendants.

This scrutiny programme is designed to ensure that expenditure under the Windrush Compensation Scheme (Expenditure) Act 2020 contributes to measurable, ethical, and sustainable improvements in health, safety, and psychological wellbeing for children, adults, and older persons within affected Commonwealth communities.

Lancelot Webb

Programme Leader
H L Health Board CIC

1. Executive Summary

This grant application seeks funding to undertake a comprehensive, independent scrutiny and investigation into the operation, expenditure, outcomes, and public value of the Windrush Compensation Scheme, as authorised by the Windrush Compensation Scheme (Expenditure) Act 2020.

Despite Parliamentary intent to deliver restorative justice to those harmed by the Windrush scandal, persistent concerns remain regarding:

- Low uptake and delayed payments
- Disproportionately low compensation awards
- High administrative costs
- Barriers faced by elderly and vulnerable claimants
- Financial and operational burdens placed on local authorities

This project will deliver a robust, evidence-based assessment of whether public expenditure under the Act has achieved its objectives, complied with equality and human rights obligations, and provided value for money.

2. Terms of Reference

1. Purpose of the Inquiry

To scrutinise the implementation of the Windrush Compensation Scheme and the expenditure authorised by Parliament, in order to determine whether the Scheme has delivered justice, value for money, and equality of outcomes to those harmed by the Windrush scandal.

2. Key Questions for Investigation

A. Legislative Intent and Compliance

- Was expenditure under the Act consistent with the intent expressed by Parliament at the time of passage?
- Were ministerial and departmental decisions within the scope of powers granted?
- Was sufficient Parliamentary oversight exercised over ongoing expenditure?

B. Financial Management and Value for Money

- What proportion of allocated funding has reached claimants?
- What level of expenditure has been absorbed by administration, legal costs, and rework?
- How does the Scheme compare with other public compensation schemes in cost efficiency?

C. Equality, Human Rights, and Fairness

- Has the Scheme complied with the Equality Act 2010, Human Rights Act 1998 and the Public Sector Equality Duty?
- Are outcomes equitable across age, nationality, disability, and socioeconomic status?
- Have evidential requirements disproportionately disadvantaged elderly or vulnerable claimants?

D. Administration and Decision-Making

- Are decision-making processes transparent, consistent, and timely?
- What factors contribute to delays, refusals, and appeals?
- Is the burden of proof proportionate and reasonable?

E. Claimant Experience and Trust

- How do claimants experience the Scheme emotionally and practically?
- Is the Scheme trauma-informed and culturally competent?
- What barriers deter eligible individuals from applying?

F. Impact on Local Authorities

- What direct and indirect costs have local authorities incurred?
- Have local authorities faced unfunded or underfunded obligations?
- Has guidance and data-sharing been adequate?

3. Powers and Evidence

The Committee shall have power to:

- Require written and oral evidence from:
 - The Home Office
 - Scheme administrators
 - Local authorities
 - Advocacy organisations
 - Legal representatives
 - Claimants (voluntary participation only)
- Access anonymised case files and financial data
- Commission independent legal, financial, and equality analysis

4. Safeguards and Ethical Standards

- Trauma-informed participation protocols
- Independent counselling support for witnesses
- GDPR-compliant data handling
- Anonymity where requested
- Clear separation between scrutiny and decision-making functions

5. Reporting Requirements

The inquiry shall produce:

1. **Interim Report** (within 6 months)
2. **Final Report** (within 12 months)
3. Recommendations for:
 - Legislative amendment
 - Administrative reform
 - Financial controls
 - Future compensation scheme design

Reports shall be laid before the House and published in accessible formats.

6. Interaction with Grant Funding

Grant funding shall:

- Support independent scrutiny capacity
- Not influence findings or conclusions
- Be subject to audit and milestone reporting

- Be disclosed transparently to Parliament

6. Expected Outcomes

- Clear Parliamentary accountability
- Evidence-based reform proposals
- Protection of future public expenditure
- Restored trust in compensation mechanisms

3. Governance and Independent

3.1 Oversight Body

Independent Windrush Scrutiny Panel (IWSP)

Composition (15 members):

- Chair (former judge / senior public law expert)
- Public finance auditor
- Equality & human rights specialist
- Trauma-informed psychology expert
- Local authority finance officer
- Data governance specialist
- Windrush community representatives (minimum 4)
- Parliamentary clerk (non-voting)
- National Audit Office liaison (observer)

3.2 Reporting Lines

- Direct reporting to:
 - Parliament (via Select Committee)
 - Secretary of State (Home Office)
 - Participating Local Authorities

4. Methodology

1 Documentary Review

- Legislation and Explanatory Notes
- Treasury directions
- Home Office guidance and internal policy documents
- Casework files (anonymised)
- Local authority submissions

2 Quantitative Analysis

- Claims submitted vs. resolved
- Average and median compensation awards
- Time-to-decision metrics
- Appeals success rates
- Demographic outcome analysis

3 Qualitative Evidence

- Survivor testimony (voluntary, supported)
- Staff interviews
- Advocacy organisation submissions
- Legal representative evidence

4 Comparative Review

- Comparison with:
 - Criminal Injuries Compensation Scheme
 - Infected Blood Compensation frameworks
 - International state compensation schemes

5. Workplan and Milestones (12-month)

| Phase | Duration |
|-------------------------------|----------|
| Setup & Appointments | 1 month |
| Evidence Gathering | 4 months |
| Financial & Equality Analysis | 3 months |
| Interim Report | Month 6 |
| Additional Inquiry & Hearings | 3 months |
| Final Reporting | Month 12 |

6. Stakeholder Engagement Plan (Parliament and Local Authorities)

1.1 Parliament

- Briefings for parliamentary staff and casework teams (virtual + optional in-person).
- Select Committee-style evidence session (recorded and transcribed).
- Templates: standard reply language, escalation guidance, signposting.

1.2 Local Authorities

- Regional roundtables (legal, democratic services, community safety, comms, safeguarding).
- Toolkit co-design workshop with pilot authorities.
- Micro-training module for frontline staff (20–30 minutes).

7. Deliverables (Parliament pack and LA toolkit)

1. Interim Findings Report (Month 6)
2. Final Scrutiny Report (Month 12)
3. Public Value & Equality Impact Statement
4. Local Authority Cost Recovery Assessment
5. Legislative Reform Options Paper
6. Future Compensation Scheme Best-Practice Framework

8. Budget and Value for Money

Total Maximum Budget: £9.85 million

8.1 Staffing & Panel Costs – £3.20m

- Panel remuneration & Chair: £1.2m
- Investigators, analysts, auditors: £2.0m

8.2 Legal & Financial Audit – £1.75m

- Independent legal counsel
- Forensic accounting
- Value-for-money audit

8.3 Community Engagement & Support – £1.40m

- Claimant participation support
- Translation and accessibility services
- Trauma counselling provision

8.4 Local Authority Participation Grants – £1.50m

- Data provision
- Staff backfill
- Impact reporting costs

8.5 Research, Data & IT – £0.85m

- Secure data systems
- Statistical modelling
- Case analysis software

8.6 Public Hearings & Reporting – £0.65m

- Parliamentary hearings
- Publication and dissemination
- Accessible formats

8.7 Contingency (5%) – £0.50m

Value for Money

- Prevents misapplication of inherited legal assumptions
- Improves local authority decision consistency
- Supports equality compliance
- Enhances legislative transparency

9. Risk Register (with mitigations)

| Risk | Likelihood | Impact | Mitigation | Owner | Status |
|--|------------|--------|--|-------------------------|--------|
| Misinformation amplification | Medium | High | Neutral framing; paraphrase harmful claims; publish 'information not advice'; counsel review. | Comms Lead / Legal Lead | Open |
| Safeguarding incidents involving members | Low-Med | High | Mandatory safeguarding training; escalation pathway; incident log; avoid high-risk engagement. | Safeguarding Lead | Open |
| Data protection breach | Low | High | DPIA; minimisation; secure storage; access control; redaction before publication. | Data/Impact Lead | Open |
| Stakeholder non-participation | Medium | Medium | Early outreach; flexible scheduling; offer anonymised participation; use LA networks. | Programme Director | Open |
| Reputational risk / perceived bias | Medium | High | Independent Chair; transparent method; publish limitations; red-team neutrality audit. | Chair / Board | Open |

10. Monitoring, Evaluation and Learning (MEL)

10.1 Outcomes and Impact

- Improved accountability for Windrush expenditure
- Evidence-led reform of compensation schemes
- Reduced risk of future maladministration
- Strengthened trust between the state and affected communities
- Clear guidance for Parliament and local authorities

10.2 Sustainability and Legacy

This project will leave a permanent legacy through:

- A reusable scrutiny framework
- Publicly available evidence base
- Institutional learning embedded across departments
- Reduced long-term litigation and remediation costs

Annex A. Authority and Status

This Public Call for Evidence is issued in support of Parliamentary scrutiny of the Windrush Compensation Scheme, conducted under the authority of UK Parliament.

Submissions will inform:

- Parliamentary findings
- Independent financial, equality, and human rights analysis
- Recommendations for legislative and administrative reform

Participation is voluntary and does not affect individual compensation claims.

Annex B. Purpose of the Call

The purpose of this Call for Evidence is to gather first-hand, professional, and institutional evidence on:

- How the Scheme operates in practice
- Whether expenditure has achieved its intended purpose
- The impact on individuals, families, and communities
- The costs and burdens placed on local authorities
- Lessons for future compensation schemes

Annex C. Who Is Invited to Submit Evidence

Evidence is invited from:

1. Individuals

- People who have applied to the Windrush Compensation Scheme
- Eligible individuals who chose not to apply
- Family members or representatives (with consent)

2. Organisations

- Local authorities
- Advocacy and community organisations
- Legal representatives and advice services
- Equality and human rights bodies
- Professional associations

3. Public Bodies

- Local government departments
- Arms-length bodies
- Inspectors, auditors, and regulators

Annex D. Types of Evidence Requested

Submissions may include:

A. Written Testimony

- Personal experience of applying (or not applying)
- Barriers, delays, or evidential difficulties
- Communication with the Scheme

B. Professional or Institutional Evidence

- Operational impacts
- Cost and resource implications
- Data-sharing challenges
- Observed patterns or systemic issues

C. Documentary Evidence

- Policies or guidance
- Anonymised case examples
- Statistical or financial data

Annex E. Key Questions (Optional Guidance)

Respondents may address any of the following:

1. Was the Scheme accessible and understandable?
2. Were evidential requirements fair and proportionate?
3. Were decisions timely and consistent?
4. Did outcomes feel just and restorative?
5. What costs or burdens arose for local authorities or support organisations?
6. What should Parliament change for future schemes?

Respondents are **not required** to answer all questions.

Annex F. Trauma-Informed Safeguards

Recognising the historic and ongoing harm experienced by many affected individuals:

- Submissions may be:
 - Short or partial
 - Anonymous or attributed
 - Written, audio, or supported by an advocate
- No cross-examination of personal testimony
- Free referral to independent emotional-support services where needed
- No requirement to relive traumatic experiences

Annex G. Data Protection and Confidentiality

- All evidence will be handled in accordance with:
 - UK GDPR
 - Data Protection Act 2018
- Personal data will be:
 - Minimised
 - Redacted where necessary
 - Stored securely
- Evidence will **not** be shared with decision-makers responsible for individual claims.

Annex H. Use of Evidence

Evidence may be used to:

- Inform Parliamentary reports
- Support anonymised case studies
- Contribute to equality and value-for-money analysis

Respondents may indicate:

- Whether their evidence may be quoted
- Whether attribution is permitted
- Any restrictions on use

Annex I. Submission Process

- **Submission window:** 12 weeks
- **Formats accepted:**
 - Online form
 - Email submission
 - Audio submission (with consent)
- **Support available:**
 - Translation
 - Accessibility formats
 - Assisted submission via community partners

Clear guidance will be provided in plain English.

Annex J. Publication and Feedback

- A summary of evidence themes will be published
- Individual submissions will not be published without consent
- Respondents may request a copy of the final report

