



Home Office

Home Secretary

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Rt Hon. Yvette Cooper MP  
Chair, Home Affairs Committee  
House of Commons  
London  
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30 June 2020

Dear Chair,

### **Home Office Response to the Windrush Scandal**

Thank you for your letter of 19 June about the Home Office response to the Windrush scandal.

As you will have heard me say on the floor of the House, I remain absolutely determined to right the wrongs experienced by the Windrush generation. I will continue to do all I can to ensure that we right the injustices and institutional failings that members of the generation experienced due to the institutional thoughtlessness displayed by the Home Office.

The Windrush Lessons Learned Review from Wendy Williams contains serious and significant lessons for the Home Office to learn in relation to the way the Department operates. This is not the main subject of your letter, but I hope to convey the serious and constructive approach the Home Office is taking at all levels to learn from and rectify these failings.

I have always said we accept the review's important findings and I will be updating Parliament before the summer on how we will approach implementing them.

While nothing can undo the harm suffered by members of this generation, we have introduced a serious and generous compensation scheme to help alleviate any financial hardship suffered.

The Compensation Scheme has been designed with the individual applicant at the heart of it and was based on extensive community engagement and research, in collaboration with

Martin Forde QC. It deliberately prioritises quality over speed so that individual cases are treated with the care, dignity and respect they need.

As I said in the House, I am not prepared to call for targets. Teams in the Home Office are working at pace through each individual claim to ensure a complete picture is received about the detriment suffered so that the maximum award can be made. This takes time but it ensures each person receives the maximum money to which they are entitled.

This is deliberately not a blanket one size fits all scheme, the changes I made to the scheme mean that it is now easier for applicants to claim for more compensation and I have also extended the scheme by a further two years until April 2023 to ensure as many people as possible who are eligible can apply. Cases must be processed on an individual and personal basis, with care and sensitivity so that every single person gets the maximum payment they are owed.

You will also know that the breadth of the scheme is considerable, with compensation available in 13 different categories covering a range of the impacts suffered. The Windrush Compensation Scheme goes well beyond any other comparable compensation scheme. This makes it more beneficial to those who are applying to the scheme but does mean that it can take more time to properly assess each case.

I have been clear that I want to see claims sped up and will provide whatever resources are required in order to see more people paid more quickly. Many of the compensation offers are with applicants to accept or reject and it is right that we give people a proper amount of time to consider whether wish to close their claim or request a review.

And while individual claims are being processed in full, many interim and exceptional payments have and are continuing to be made to ensure that people have access to the funds that they need now.

The Windrush Compensation Scheme and the Urgent and Exceptional Payments (Hardship) fund were set up in April 2019 and December 2018 respectively in order to provide emergency assistance to those who need it. We also set up a dedicated vulnerable persons team to provide immediate support to those people suffering with a range of vulnerabilities including financial hardship and destitution.

The team is working with a range of central and local government departments as well as vulnerable customers' employers, landlords or creditors to support individuals. These payments can be for a wide range of purposes: supporting people to buy basic furniture and cooking equipment for their accommodation, enabling people to return to the UK by supporting with flights, or helping people tackle urgent debts which jeopardised current living arrangements.

All claimants are contacted immediately upon receipt of their claim. Eligibility for the scheme is checked and support is offered to ensure that the person applying is making the maximum claim available. A dedicated caseworker will then triage each claim to see which elements

of the claim can be processed more quickly, and refunded immediately, and what further information may be required.

Many individuals applying has suffered a range of different impacts to their life. These are complex cases and require thorough consideration to ensure that the right level of compensation is awarded.

This means sourcing information from other government departments and from the individual themselves. Throughout the process, the caseworker works with the claimant to keep them updated on the status and progress of their claim. As soon as information is received from the individual the case working team will immediately process it.

Once the full compensation entitlement has been established, the claim is quality assured in the same way as other schemes managing public funds and a compensation offer is made. Every applicant has the option to accept, or to request a review of the offer they have received. To date, approximately a quarter of claimants have chosen this option which has meant that these cases have not yet been able to formally close, though many will have received interim or exceptional awards too. Any review is conducted internally by an independent staff member who has not been involved in the original decision and there here is also an option for a second-tier review conducted externally by an independent body, the HMRC Adjudicator.

The process is extensive, with opportunities for every applicant to input into the process to ensure the full compensation entitlement is paid. I am sure you will agree that it is right that every individual has the opportunity to have their case fully considered.

That it is right cases are dealt with on a personal and individual basis with a dedicated caseworker. And that it is right that each applicant has the option to request a review of the final offer made.

I have been clear, in the House and elsewhere, that I want everyone who has been wronged to get the maximum compensation to which they are entitled. This ambition can only be realised, however, if we examine each claim with the comprehensive process which I have set out above.

Through this comprehensive scheme endorsed by Martin Forde QC, the first compensation payment was made within four months of the scheme's launch. Payments are increasing in frequency and amount, with the number of successful claims rising six-fold from December until March, and more payments made week on week. The amount offered to applicants is now over £1,000,000.

Still, as ever, we must continue to do more. We have increased the number of staff working on claims. This will increase the pace, but it remains true that all claims are unique, and that the vast majority are complex and sensitive. It is more important to get the assessment right, and to compensate people in the way they deserve, than to rush it and therefore short-change those we are trying to help.

I share your desire to see more claims completed, and as quickly as possible. I am working on this day in day out.

No one should have suffered the uncertainty, complication and hardship brought on by the mistakes of successive Governments, and the Home Office is doing everything it can to right the wrongs, to compensate those who have suffered, and to eliminate the challenges which still exist for members of the Windrush generation and their descendants.

I trust this information is helpful and I thank you for your continued interest in the progress of the Windrush Compensation Scheme.

Yours sincerely,

u.k. all your wishes  
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**Rt Hon Priti Patel MP**  
**Home Secretary**