

Scottish Review of Financial Support Schemes

Terms of Reference

To undertake a review of the existing UK-wide financial support schemes for individuals infected with hepatitis C and HIV through NHS blood and blood products, in respect of individuals and families receiving payments in Scotland.

To provide recommendations to Scottish Ministers on whether the current system should be changed and, if so, what changes should be made and whether any of these changes should be applied retrospectively.

The review should:

- Define and cost various options for future schemes and compare against the status quo, including parallel UK compensation and ex gratia schemes such as for those affected by vCJD, vaccine damage and Thalidomide.
- Agree general principles for a system of financial support.
- Consider the risks and benefits of the existing UK approach as versus a standalone Scottish approach, engaging with the other UK countries as part of this review to understand the current and historic UK context, including matters of accountability, governance, cost, eligibility (tests of causation and disability) and any potential cross-border issues.
- Consider evidence from affected patients, families and their representatives in relation to:
 - the strengths and weaknesses of current payment schemes; and
 - unmet need which could be addressed by an improved scheme.
- Consider evidence or practice in other relevant jurisdictions beyond the UK, such as the Republic of Ireland, for any lessons for Scotland.
- Consider any possible legal and tax issues, including legislative changes and transitional arrangements that may be required.
- Report to Scottish Ministers as soon as possible, but no later than November 2015.

The review will be supported by dedicated civil servant resource from the Scottish Government.