

Falkirk Council

Date 25/06/2026

The Foundry
4 Central Boulevard
Central Park
Larbert
FK54RS

Our Ref: DSAR-20260625-06A3B9

Client Ref: 100235

Subject: Data Subject Access Request under Article 15 UK GDPR and Section 45 DPA 2018 - Our
Reference: 100235

Client Name: Mr Colin James Kerr

Client Address: 16 Coopers Lane, London, SE120QA

Client Reference: 100235

Date of Birth: 29/11/1979

Name in Care: Colin McSwegan

Previous Address: Killmun Street, Maryhill, Glasgow

Parents Names: Mother: Violet Kerr - Valorie Kerr - McSwegan - Father: James McSwegan

Dear Sir/Madam,

We act on behalf of the above-named client, who was placed in residential care at the institution(s) referenced below during the approximate period stated.

Approximate Dates of Placement:

Foster Care: 1983-1986

This request is made under Article 15 of the UK General Data Protection Regulation and Section 45 of the Data Protection Act 2018.

Scope of Request

We request disclosure of all personal data held in relation to our client, across all systems and formats, including but not limited to:

Admission and discharge records
Full placement history, including transfers between care settings
Social work records, case files, and assessments
Daily logs, key worker notes, and case notes
Incident reports, safeguarding records, and protection referrals
Case conference notes, reviews, and internal assessments
Complaints, investigations, and outcomes
Correspondence between staff, local authorities, and external agencies
Records shared with or held by third-party care providers acting on your behalf
Medical, psychological, or educational records held within the care file
Photographs or other documentation relating to our client's time in care
Records identifying staff members and roles involved in their care

Historical and Archived Records

Given the historical nature of this request, we require that all reasonable and proportionate searches are undertaken, including:

Archived and off-site storage
Legacy systems, including paper, microfiche, and scanned records
Records held under previous authority names, reorganisations, or successor bodies
Records held by contracted, private, or voluntary sector care providers commissioned by your authority

Placement and Authority Clarification

Where records indicate placement in additional care settings, we request:

Details of those institutions
Dates of placement
The commissioning or responsible authority

This information is required to ensure a complete and accurate record of our client's time in care.

Format of Disclosure

Please provide the information in electronic format where possible. Where records exist only in non-digital formats, scanned copies will be acceptable.

Enclosures

We enclose:
Signed authority from our client
Proof of identity

Should you require any further information to process this request, please advise promptly.

Statutory Timeframe

We expect a response within the statutory one calendar month period. If you require an extension, please confirm this in writing with full justification.

Non-Holding of Data

If your organisation does not hold the requested data, we require:

Formal written confirmation of this position

Details of any organisation believed to hold the data, including successor or archive bodies where applicable

Service of Documents

We only accept service of documents via email at evidence@mmalegal.co.uk. Should you for any reason be unable to send documents to the above email, please notify us via the same email imminently.

Yours faithfully,

Investigations Team

MMA Legal

E: evidence@mmalegal.co.uk

T: 0161 570 0550

DEED OF AUTHORITY & CONSENT

THIS DEED is made on the date of signature below by (the “Client”)	
Full Name:	Colin James Kerr
Date of Birth:	29/11/1979
Previous Names (if any):	
Current Address:	Flat 13, Milliners Court, The Croft Loughton IG10 2PP
Previous Addresses (relevant to care placements):	
CHI / NHS Number (if known):	

IN FAVOUR OF (the “Representative”)	
Firm Name:	MMA Legal
Address	STOK, 43-59 Princes St, Stockport
Postcode	SK1 1RY
Email	casemanagement@mmalegal.co.uk
Telephone Number	0161 532 3544

1. STATUS AND CONSTRUCTION

- 1.1. This Deed is executed as a deed and constitutes valid written authority for the purposes of:
 - 1.1.1. UK GDPR
 - 1.1.2. Data Protection Act 2018
 - 1.1.3. Common law confidentiality
 - 1.1.4. Any related statutory, regulatory or supervisory framework
- 1.2. This Deed shall be interpreted purposively and broadly to give full effect to the Client’s intention that all personal data and Records relating to them be disclosed to the Representative, subject only to lawful statutory restriction.
- 1.3. This Deed is intended to provide clear and comprehensive authority for disclosure of the Client’s personal data.

2. APPOINTMENT

- 2.1. The Client appoints the Representative to act fully on their behalf in connection with:
 - 2.1.1. An application to Redress Scotland;
 - 2.1.2. Any review, reconsideration or appeal;
 - 2.1.3. Evidence gathering and submission;
 - 2.1.4. Any associated advisory, compensatory or restorative process.
- 2.2. Requests made by the Representative shall be treated as made personally by the Client.

3. SCOPE OF AUTHORITY

- 3.1. This Authority applies to all public and private bodies including (without limitation):
 - 3.1.1. Local Authorities and Councils
 - 3.1.2. NHS Boards and GP Practices
 - 3.1.3. Health & Social Care Partnerships
 - 3.1.4. Integration Joint Boards
 - 3.1.5. Religious bodies and orders
 - 3.1.6. Residential and foster care providers
 - 3.1.7. Education authorities and schools
 - 3.1.8. Government departments
 - 3.1.9. Archive services
 - 3.1.10. Insurers holding historical liability files
 - 3.1.11. Successor, merged or restructured public bodies
- 3.2. The Authority applies whether Records are:
 - 3.2.1. Archived, microfiche, digitised or handwritten;
 - 3.2.2. Stored off-site by contractors;
 - 3.2.3. Held by dissolved or reconstituted institutions;
 - 3.2.4. Transferred following statutory reorganisation.
- 3.3. The Client requests that records not be withheld solely on administrative grounds such as archival storage or institutional restructuring including, for example:
 - 3.3.1. The institution has closed or restructured;
 - 3.3.2. Records are archived or require manual retrieval;
 - 3.3.3. Records are held by insurers or successor bodies;
 - 3.3.4. Retrieval involves time or administrative burden.

4. SPECIAL CATEGORY DATA – EXPLICIT CONSENT

- 4.1. For the purposes of Article 9 UK GDPR and Schedule 1 Data Protection Act 2018, the Client gives explicit consent to disclosure of all special category data including:
 - 4.1.1. Physical and mental health records
 - 4.1.2. Psychiatric and psychological reports
 - 4.1.3. Therapy and counselling notes
 - 4.1.4. CAMHS records
 - 4.1.5. Social work and safeguarding files
 - 4.1.6. Ethnicity or religious data where recordedThis includes all NHS and private medical providers.

This explicit consent may be withdrawn at any time by written notice.

5. CRIMINAL OFFENCE DATA – EXPLICIT CONSENT

5.1. For the purposes of Article 10 UK GDPR and Schedule 1 Data Protection Act 2018, the Client gives explicit consent to disclosure of:

- 5.1.1. Criminal offence data
- 5.1.2. Police investigation material
- 5.1.3. Child protection investigations
- 5.1.4. Statements and intelligence logs
- 5.1.5. Outcome decisions

including records held by:

- 5.1.6. Police Scotland
- 5.1.7. Any predecessor Scottish police force
- 5.1.8. Prosecuting authorities.

6. THIRD-PARTY DATA AND REDACTION

- 6.1. The existence of third-party data shall not justify refusal to disclose the Client's personal data.
- 6.2. Where necessary, redaction shall be limited strictly to third-party information.
- 6.3. Mixed data shall be disclosed in redacted form rather than withheld in entirety.

7. PROPORTIONALITY AND REASONED DECISION-MAKING

- 7.1. Any refusal, limitation or redaction must:
 - 7.1.1. Identify the specific statutory exemption relied upon;
 - 7.1.2. Explain how that exemption applies to the particular Record;
 - 7.1.3. Confirm why partial disclosure is not possible;
 - 7.1.4. Be communicated in writing.
- 7.2. Blanket refusal without statutory justification may not satisfy statutory obligations under applicable data protection legislation.
- 7.3. Any reliance upon "disproportionate effort" must provide written reasoning demonstrating why staged disclosure or redaction is not feasible.

8. VALIDITY AND FORMAL REQUIREMENTS

- 8.1. This Deed remains valid for 24 months from execution unless withdrawn in writing.
- 8.2. Disclosure shall not be refused because:
 - 8.2.1. An internal template form has not been used;
 - 8.2.2. The Authority is considered "out of date" within internal policy;
 - 8.2.3. Additional consent is sought beyond reasonable identity verification.
- 8.3. Any organisation acting in good faith reliance upon this Deed shall be fully discharged in making disclosure.

9. REGULATORY AND STATUTORY RIGHTS

In the event of non-compliance, refusal, or unreasonable delay in responding to a lawful request made under this Deed, the Client and/or the Representative reserve the right to pursue any statutory or regulatory remedies available under applicable law.

This may include raising concerns with the relevant supervisory authority or regulator where appropriate.

Nothing in this Deed limits the Client's rights under the UK GDPR, the Data Protection Act 2018, or any other applicable statutory framework.

Withdrawal shall not invalidate disclosures already made in reliance upon this Deed.

EXECUTION AS A DEED

Signed and delivered as a Deed by the Client:	
Signature	
Print Name	Colin James Kerr
Date	03/03/2026

Witness	
Name	Billie Tyrie
Address	STOK, 43-59 Princes St, Stockport, SK1 1RY
Occupation	Case Handler
Signature	
Date	03/03/2026

Certificate of Authenticity

Document Details

Document ID: 0b6fefb7-022b-4da3-8ca1-9812278f5ccd
External Ref: 06485e12-5509-4f36-a478-8a18e7af3abf
Signer Email: colinkerr882@gmail.com
Signer IP: 172.226.183.66
Timestamp: 2026-03-03 16:48:42

Audit Trail

Event	Date/Time	IP Address	User Agent (Short)
CREATED	2026-03-03 16:42:19	System	
VIEWED	2026-03-03 16:43:38	172.226.182.65	Mozilla/5.0 (iPhone; CPU
SIGNED	2026-03-03 16:48:41	172.226.183.66	Mozilla/5.0 (iPhone; CPU

Security Hash

53d53d8a6251a2a16dfdb0a98cd1f2aae76a08378d7f4309efc06d3ab036781d

This hash ensures the integrity of the signing metadata.

Colin Kerr
Spitalfields Crypt Trust
116-118 Shoreditch High Street
London
London Borough Of Hackney
E1 6JN

27th February 2026

Dear Colin,

I am writing to confirm that we have received your application for Scotland's Redress Scheme. Your application reference number is : APP125246

Your application will be assigned to a designated case worker who will be responsible for working on your application and will be a point of contact throughout the process.

Please note that due to the high volumes of redress applications received, the time taken to have applications assigned to a case worker is taking longer than we would like. Whilst we cannot provide a timescale for how long it may take to have your application assigned to a case worker, it may be helpful to be aware that we are currently assigning applications that were received in March 2025.

We would like to reassure you that we are working hard to ensure your application will be assigned at the earliest opportunity. You can continue to provide further information to the scheme in order to progress your application. You can also contact the team if you wish to discuss your application. They are here to help and answer any questions you may have.

We have reviewed the documents provided to date, and provide a summary of the further information required below.

In summary:

- Certified ID – information sheet included
- Certified Name Change documentation
- Care records – information sheet included
- Supporting documentation
- Bank statement

Support service

We have a support service who can provide practical support with the application, emotional support through the process and support to access records. If you would



like to access support from our support service, please contact us on the details below.

Further Information

We are enclosing a copy of the Summary of Options guidance, and a flow chart providing information about the application process, which we send to all applicants.

We provide some further information about the documentation required to progress your application below:

Bank Statement

You have not provided your bank details. In order to ensure any payment is only received by applicants we will require a bank statement to confirm your account. We do not need to see any transactions, simply your name, address, sort code and account number. If you have any questions regarding this please do not hesitate to contact me.

Certified ID

This information is needed to confirm who you are.
You must do this by providing a certified copy of your identification documents.

You have provided a copy of your driving licence which is an appropriate identification document, however the scheme requires this to be certified. Please see enclosed/attached information sheet on how to certify documents.

Certified Name Change Documents

If your name has changed you will need to show evidence of this. Examples of this can include marriage, divorce or adoption certificates. These need to be **certified**.

Care Records

For individually assessed payment applications, you need to provide one document to show you were in the care of each relevant care setting you mention in your application.

Please see page 22 of the "Help to Apply" guidance.

I enclose information sheet regarding the different ways to access care records.

Supporting Documents

For individually assessed payment applications, you need to provide at least one document that supports your statement of abuse.

You can read more about documents you can use on page 33 of the "Help to Apply" guidance.

Further help and support

If you have any questions about the contents of this letter, require additional copies of application forms, or require any further support concerning your application, please don't hesitate to get in contact with us.

Solicitor's fees

You can choose to involve a solicitor to support you with your application to Scotland's Redress Scheme. You do not need to involve a solicitor to make an application. You can contact us directly using the details below.

Scotland's Redress Scheme can pay fixed fees directly to your solicitor. This is available to all applicants and is not means tested. You should check that your solicitor will work for the fees available. They should request payment directly from Scotland's Redress Scheme.

You or your solicitor can find out more information on available fees by contacting us using the details below, or by reading the statutory guidance on gov.scot/redress.

Even though the fees are paid by Scotland's Redress Scheme, your solicitor is independent. They will work for you and not for Scotland's Redress Scheme.

Telephone: 0808 175 0808 (freephone)

Lines are open Monday to Thursday from 10am to 4pm, excluding Scottish public holidays. There is an answering machine at other times, and if you leave a message we will get back to you as soon as we can.

Email : apply@redress-scheme.scot

Post : Redress, PO Box 24209, EDINBURGH, EH7 9GT

You can also contact the **Redress Emotional Support Helpline** directly on 0800 211 8403 where you can leave a message and someone will get back to you as soon as possible.

Kind regards

Scotland's Redress Scheme