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Twitter: [@LET_2017](https://twitter.com/LET_2017)

E mail: info@londonemergenciestrust.org.uk

Briefing for the London Assembly – 31st January 2018 meeting

1 Background on London Emergencies Trust

- 1.1 London Emergencies Trust (LET) is a registered charity and company limited by guarantee without a share capital which began operations after the terrorist attack on Westminster Bridge in March 2017.
- 1.2 The majority of its trustees and staff were involved in the work of the London Bombings Charitable Relief Fund (LBRCF) – a charity set up following the 7/7 attacks in 2005, which passed public donations to the bereaved and injured as charitable gifts.
- 1.3 Members of the then senior management team at the Greater London Authority were the first interim trustees of the LBRCF under the then Chief Executive Anthony Mayer's chairmanship before the permanent trustees came into place that July. The Fund distributed the near £12m donated and then closed, having carried out the task it was set up to deliver.
- 1.4 In 2015 a number of the former LBRCF Trustees set up LET as part of the preparedness for terrorist-related or other incidents which might require charitable gifts to be made to those affected as next-of-kin or injured and requiring hospital treatment.
- 1.5 LET was set up through London Funders (the membership network for funders and investors in London's civil society) to have its governance, systems and processes in place as a dormant organisation (or, if possible, registered though inactive) until needed when it could be activated quickly to respond to an emergency, whether terrorist attacks or natural disaster on a widespread basis.

- 1.6 It was agreed that before LET commenced initial operations the Mayor of London would make a statement that there had been such an incident or emergency, and that a charitable appeals fund has been set up, independent of the Mayor, to raise and distribute money to those affected. This happened following the Westminster Bridge attack.
- 1.7 The area of benefit for the Trust was to include the geographic area of Greater London but with flexibility so that it is possible to respond to an incident affecting London and Londoners (as well as people from elsewhere), for example at an airport in the south east of England that is *not* in the administrative area of the 32 London Boroughs and the City of London.
- 1.8 In the event of incidents in London and elsewhere in England, the LET was to have flexibility of action so that it can respond outside its core area of benefit, for example by collecting funds and distributing them directly to those affected or through other organisations to achieve its objects.
- 1.9 Since March 2017, LET has been working with the [British Red Cross](#) (BRC) and other funders to distribute charitable donations by the public to the bereaved and injured who were caught up in the terror attacks at: [Westminster](#); [London Bridge](#); [Finsbury Park](#); and [Parsons Green](#). Across these four sites LET has so far distributed £1.86m in respect of 75 victims. LET is also working with colleagues at the We Love Manchester Emergency Fund and helped with advice on setting up that fund after the Manchester Arena attack.
- 1.10 There was no public appeal following the Westminster attack, when donations came from mainly private sources. Following the London Bridge attacks (which was the third incident after Manchester) BRC launched the UK Solidarity Fund as the fundraising vehicle for London Bridge and future incidents, so the response to such attacks is now an automatic one not needing the Mayor to declare an incident. *The decision as to whether to become involved following an incident is made by LET trustees in conjunction with the BRC.*
- 1.11 LET is also the main distributor of public donations to the *bereaved and injured* of the [Grenfell Tower fire](#), working alongside those charities distributing funds to survivors (further details below).
- 1.12 The LET staff team possess the skills of the professional business of grant-making and making sure any donations are properly spent and accounted for. LET also relies on significant pro bono support – for example, some staff from other charities have been seconded in to assist; office space and legal services have been donated free of

charge. LET has also secured an agreement with a specialist law firm to provide pro bono assistance to families where receipt of grant funding first requires the establishment of a legal trust (e.g. where the grantee is a minor).

- 1.13 100% of the donated funds raised for Grenfell are distributed to the bereaved next of kin and injured. None of the funds passed to LET are used to cover operating costs. It has been a challenge to secure operating costs, despite the in-kind support LET has received, but grants from several trusts and foundations have ensured LET can continue to end March 2018. LET is currently in discussion with a number of charitable trusts, and the Mayor of London, about core funding for 2018/19.
- 1.14 LET will publish its Annual Report and Audited Accounts for 2017 in the summer of 2018 after an independent audit.

2 LET's approach to the distribution of public donations

- 2.1 LET's overall approach to distribution is informed by the work of the London Bombings Charitable Relief Fund, but it retains flexibility to allow it to respond to changing circumstances. Trustees exercise their discretion to vary approaches in the interests of fairness, and each individual funding application is considered in its own right, through a casework approach.
- 2.2 LET is passed funds by organisations who have either raised money through public appeals or wish to contribute to disaster relief by way of a charitable donation or gift. LET works with donors to agree who should benefit from funds, and mainly focuses on bereavement and injury – since this is where our specialism lies. We work closely with the police and key workers who are the main contact point with families and assist us in building up reliable family trees. At Grenfell, we also liaise closely with other funders and distributors to make sure that as much as possible all needs are being recognised, and that there is some balance in grant funding between those bereaved and injured on the one hand, and those who survived and lost everything on the other.
- 2.3 In cases of bereavement, LET trustees decided that they wished to be guided in the first instance by English Law intestacy rules (The Intestacy Act 1925) to identify who should receive funds. This is generally either a surviving spouse, children, sibling(s) or parents. In some cases, families request that LET pay out funds in another way, and usually we are happy to do that if we are confident that family members all agree. The Trustees are able to exercise their discretion to depart from Intestacy Act rules if there are specific issues to consider and have done so where this can be justified. In cases of family dispute, we work closely with the police,

keyworkers, charities supporting families, and law firms. We are as flexible and careful as possible, but inevitably in some cases there may be relatives who feel they should have received more or concerned that another relative (and not them) received an award.

- 2.4 Relief funds distributing charitable gifts can never be sure exactly how much money they will have and Trustees need to be careful not to over-commit the funds they have and to act prudently within the demands of charity law. As a consequence, it is not possible for LET to know or to communicate to beneficiaries early on details about the final amount of money they should *expect* to receive. Further complicating this is where there is also uncertainty about the number of casualties (fatalities and those injured).
- 2.5 To accommodate this, like LBRCF before it, LET talks in terms of 'initial' payments followed by further 'top up' payments when circumstances permit. Details of these 'top up' payments are then communicated to those affected by police family liaison officers and key workers, and/or directly.
- 2.6 Initial payments are fixed and agreed with trustees and funders, and are designed to allow for quick payments to reach people when the need for funds is great. They are not means tested, but follow simple criteria. Our approach is to make payments for three sets of circumstances: The first is for those bereaved; the second for those hospitalised for one week or more; the third for those hospitalised for more than 6 hours (but less than one week).
- 2.7 In 2017, the *initial* amounts paid out were: £20,000 per fatality; £10,000 to those hospitalised for one week or more; £3,500 for those hospitalised for 6 hours or more. Subsequent 'top up' payments were based on what funds were raised and passed to LET for distribution. As of 15th January 2018 payments have reached the following levels:
- Per fatality - £90,000 at Grenfell (£60,000 at terror incidents)
 - For those hospitalised for one week or more - £30,000
 - For those hospitalised for between 4 and 7 days - £10,000 (a new category added)
 - For those hospitalised for between 6 hours and 3 days - £3,500
- 2.8 It has been a challenge to achieve parity of approach across all sites, since the funds raised for Grenfell and the various terror incidents vary, and payments to the victims of the Manchester Arena attack are significantly higher.
- 2.9 Information about individual grants is confidential, however the amounts LET pays in respect of bereavement or injury are set out in the regular Charity Commission updates. We also tweet them regularly from [@LET 2017](#).

- 2.10 In recognition of the issues families may encounter dealing with such grants, LET has been working with other funders and distributors at Grenfell to impress on central government officials from DCMS and DCLG the need for trusted independent financial advice to be available to grantees, should they wish it. We are pleased that Citizens Advice Kensington & Chelsea is being funded by DCMS to offer such a service to all those who benefited from charitable grants.
- 2.11 This extra assistance will be welcome in very varying circumstances: at one extreme, there may be a sole beneficiary who receives a grant in respect of multiple deaths; at the other, a grant for one fatality may be divided and paid to multiple beneficiaries (e.g. siblings).

3 LET's role at Grenfell Tower

- 3.1 LET's role at Grenfell is to get money to the bereaved next of kin who lost loved ones and to those who were hospitalised as a result of the fire.
- 3.2 LET has been distributing funds raised by BRC and other funders, including the Kensington and Chelsea Foundation (using Funds raised by its supporters), London Community Foundation (distributing funds raised through the Evening Standard's Dispossessed Fund) – a little more than £8m in total. It works day to day with the Metropolitan Police, keyworkers from RBKC, and a mix of local organisations supporting Grenfell residents,
- 3.3 Other charitable organisations (such as the Rugby Portobello Trust, distributing funds coming largely from the other major fundraising bodies) have been passing funds directly to survivor 'households'. LET and RPT work closely together. Information about all of the charities that are providing funds to survivors and the bereaved is compiled by the [Charity Commission](#), which has been publishing a regular update.
- 3.4 There have been entirely legitimate questions about the overall pace of distribution, and criticism that significant amounts of money have been 'held back' over the last few months. LET's response to them is twofold.
- 3.5 First, it is important to understand that LET's role is different to that of passing funds to survivors. Because LET's focus is the bereaved and the injured, it works at the pace determined by both the families, the police, and the availability of information about fatalities and hospital records. This is similar to the way in which LBRCF worked in 2005 and reflects the lessons learned then. Despite these

challenges, LET was still able to make payments to bereaved families within 3 weeks of the fire, and by 8 weeks had paid £1.3m in 84 cases.

- 3.6 One particular difficulty that LET has encountered which has had a bearing on the speed of processing some applications has been accessing hospital admission/discharge data for those hospitalised following the fire. Despite many efforts on the part of LET staff and others, there has been little consistency of approach between and within NHS trusts, leading to applicants becoming frustrated at the pace of LET being able to verify short hospital stays.
- 3.7 Second, uncertainty about the number of fatalities at Grenfell generated practical challenges about the distribution of public donations. In this context, LET had to be prepared to grant fund for up to 100 deaths and held funds accordingly, so that it was always in a position to pay all bereaved families *the same amount*. This is a relatively complex financial management challenge, and certainly difficult to communicate in a pithy way. When the fatality figure was confirmed as 71, at the end of 2017, those funds (*around £2m) were then distributed evenly amongst those 71 families.

4 How much of the public donations has LET received / distributed at Grenfell?

- 4.1 At Grenfell, LET has received 141 applications (15th January 2018)
- 4.2 It has made 123 grants worth £6,423,000 to the families of those who were killed and to those injured. By early 2018, we will have distributed almost £8m in respect of 71 fatalities, and 70 people hospitalised.
- 4.3 LET is working on six outstanding fatality cases, which involve two families. They are complex, and in these cases, LET is assisting families to set up legal trusts to receive funds (with pro bono legal help).
- 4.4 Eleven applications were rejected as falling outside criteria. Each of these was for short term hospital stays, but we were unable to find evidence of admission / treatment.
- 4.5 In September LET agreed with its funding partners to *widen* distribution in order to pass some funds to 'survivor households'. These households already received charitable payments from multiple sources but the LET board wished to offer further support to those displaced, traumatised and who – for whatever reason – may well have been hospitalised under normal circumstances. Working through Rugby Portobello Trust and pooling funds with separate allocations by the Kensington and Chelsea Foundation,

LET made payments of £5000 to 140 Grenfell Tower households, and £3000 to 25 Grenfell Walk households (a total of £773,000). It is now estimated that Tower households will have received around £80,000 in charitable donations, and Walk households £30,000.

5 Next steps

- 5.1 It is the intention of LET to continue to operate into 2018/19, depending of the availability of core funding. We are currently dealing with what we expect to be the final applications for support from each of the four terror incidents and Grenfell, and over the next few months will conclude all but the most complex casework.
- 5.2 During the Spring, LET will continue to refine and codify its approaches so that if the charity is no longer needed, it can be made dormant in the knowledge that it has all the systems, processes and funding in place to be re-activated in the event of a serious incident. As we do this, we will be ready to deal with other incidents should that be necessary.
- 5.3 Staff and trustees will continue to contribute to the various Humanitarian Assistance Groups LET is involved in, and work closely with BRC and Mayors Office in identifying systemic improvements in disaster relief responses.
- 5.4 To this end, LET will commission a review/evaluation of its own work in 2017, and play an active role in the various other reviews currently planned or underway, including those initiated by central government departments.
- 5.5 More generally, we have concerns that a time of significant and sustained concerns about the likelihood of further terrorist attacks and casualties, the skills, experience and relationship capital LET has developed since March (and before as LBRCF) is protected and available promptly should the need arise in future. To this end, LET is in discussions with BRC and others about the best way to achieve this.

Note ends.