
DIRECTIONS

NATIONAL HEALTH SERVICE, ENGLAND

The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Infected Blood Further Interim Compensation Payment Scheme) Directions 2025

The Secretary of State gives the following Directions in exercise of the powers conferred by sections 7, 8, and 272(7) and (8) of the National Health Service Act 2006(a).

Citation, commencement, application and interpretation

1. – (1) These Directions may be cited as the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Infected Blood Further Interim Compensation Payment Scheme) Directions 2025 and come into force on 23rd October 2025.

(2) These Directions apply in relation to England.

(3) In these Directions—

“infected blood support scheme” means—

- (a) the England Infected Blood Support Scheme,
- (b) the Wales Infected Blood Support Scheme established under sections 1 to 3 of the National Health Service (Wales) Act 2006,
- (c) the Scottish Infected Blood Support Scheme established partly under section 28 of the Smoking, Health and Social Care (Scotland) Act 2005,
- (d) the Infected Blood Payment Scheme for Northern Ireland established under section 3 of the Health and Social Care (Reform) Act (Northern Ireland) 2009;

“personal representative” means the persons responsible for administering the deceased person’s estate;

“qualifying infected person” means a deceased person—

- (a) who was registered as an infected person under the England Infected Blood Support Scheme, or with a relevant organisation, on or before 17th April 2024, or
- (b) whose death was registered as the death of an infected person under an infected blood support scheme, or with a relevant organisation, on or before 17th April 2024,

and to or in respect of whom no payment of £210,000 has been made under the Infected Blood Further Interim Compensation Payment Scheme established under The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Infected Blood Further Interim Compensation Payment Scheme) Directions 2024;

“relevant organisation”(b) means—

- (a) the Caxton Foundation (charity number 1142529),
- (b) the Eileen Trust (charity number 1028027),
- (c) the Macfarlane Trust (charity number 298863),
- (d) the Macfarlane (Special Payments) Trust established on 29 January 1990,
- (e) the Macfarlane (Special Payments) (No. 2) Trust established on 3 May 1991,

(a) 2006 c. 41. By virtue of section 271(1) of this Act, the functions of the Secretary of State under those sections as exercised in making these Directions are exercisable only in relation to England. Section 7 was amended by section 21(1) to (4) of the Health and Social Care Act 2012 (c.7) (“the 2012 Act”). Section 8 was amended by paragraphs 5(1)(a) and (b) and (2) of Part 1 of Schedule 4 to, and paragraphs 1 and 3 of Part 1 of Schedule 14 to, the 2012 Act.

(b) The relevant organisations listed (a) to (g) are either now former charities and have been removed from the Charities Commission’s website or in the case of (f) and (g) are companies that have now been dissolved.

- (f) MFET Limited (company number 07121661), and
- (g) the Skipton Fund Limited (company number 5084964);

“the England Infected Blood Support Scheme” means the scheme established by the NHSBSA pursuant to the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes Y GIG) (Infected Blood Payments Scheme) Directions 2017(c);

“the estates portion of the Infected Blood Further Interim Compensation Payment Scheme” means, in relation to England, a scheme established to make a one off compensation payment of £210,000 to personal representatives of qualifying infected persons”;

and

“the NHSBSA” means the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) established by the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005(d).

Infected Blood Further Interim Compensation Payment Scheme

2.—(1) The Secretary of State directs the NHSBSA to act as administrator of the estates portion of the Infected Blood Further Interim Compensation Payment Scheme from the date that these Directions come into force, working with and liaising with the Department of Health and Social Care, as appropriate.

(2) The Secretary of State directs the NHSBSA to take such steps as it considers necessary and appropriate, working with and liaising with the Department of Health and Social Care, to prepare for, and to carry out, the function specified in sub-paragraph (1).

(3) The Secretary of State directs the NHSBSA to—

- (a) establish a system to receive applications from applicants to the estates portion of the Infected Blood Further Interim Compensation Payment Scheme for reimbursement of application fees to which sub-paragraph (4) applies and legal expenses to which sub-paragraph (5) applies;
- (b) make a decision on any application for reimbursement of such fees or expenses made by a person to whom a payment has been made, or is to be made, pursuant to the estates portion of the Infected Blood Further Interim Compensation Payment Scheme (an “initial decision”), and notify the applicant of that initial decision;
- (c) request further information or evidence in relation to the application for reimbursement of such fees or expenses, if it considers it necessary in order to be able to make an initial decision;
- (d) where the NHSBSA is provided with further information or evidence by an applicant within 3 months of an initial decision (beginning with the date the applicant was notified of the initial decision), review that initial decision and notify the applicant of the outcome of that review;
- (e) make a payment to the applicant for reimbursement of—
 - i) such fees up to a maximum of £300,
 - ii) such expenses up to a maximum of £1,500,where the outcome of the initial decision or the review under paragraph (d) is to grant the application for reimbursement.

(4) The application fees to which this paragraph applies are—

- (a) the fee for obtaining a grant of probate of the will of the qualifying infected person;
- (b) the fee for obtaining letters of administration of the qualifying infected person’s estate;
- (c) the fee for obtaining a grant of confirmation in respect of the qualifying infected person’s estate; provided that no payment in respect of such fees has been made under paragraph 2(3) of The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Infected Blood Interim Compensation Payment Scheme) Directions 2024.

(c) The Directions were made on 23rd October 2017 and are available at <https://www.nhsbsa.nhs.uk/our-policies/governance-framework>. Copies are available from the Department of Health and Social Care, 39 Victoria Street, London SW1H 0EU.
(d) S.I. 2005/2414, as amended by S.I. 2006/632, 2007/1201, 2013/235, 2015/1862, 2017/959, 2018/378 and 2019/776.

(5) The legal expenses to which this paragraph applies are the fees of a qualified legal professional incurred in the course of—

- (a) obtaining the grant of probate set out in paragraph (4)(a);
- (b) obtaining the letters of administration set out in paragraph (4)(b);
- (c) obtaining the grant of confirmation set out in paragraph (4)(c); or
- (d) making an application to the Infected Blood Estates Further Interim Compensation Payment Scheme;

provided that no payment in respect of such expenses has been made under paragraph 2(3) of The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Infected Blood Interim Compensation Payment Scheme) Directions 2024.

Signed by authority of the Secretary of State for Health and Social Care



William Vineall
NHS Quality, Safety and Investigations Directorate
Department of Health and Social Care

Member of the Senior Civil Service
Department of Health and Social Care

Date: 21 October 2025