

REMEDIES AND FINANCIAL REDRESS GUIDANCE.

August 2023

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Introduction

Onward is committed to providing exceptional levels of service to our customers and communities. However, we recognise that from time to time, things may not always run smoothly and we consider it vitally important that when there is a problem, we do everything we can to put things right and use any learning to continually improve our services.

When we receive a complaint, in all cases we aim to resolve any issues before the need for redress arises, but where there is evidence of poor service and an apology alone is not sufficient, it may be appropriate to consider an alternative form of redress. Redress may take the form of an apology, financial payment or alternative gesture of goodwill.

Aim of this guidance

Onward colleagues are empowered to determine whether a compensation payment or gesture of goodwill is appropriate and will treat each case based on its individual merits and by using this guidance. The purpose of this guidance is to ensure that our approach to all forms of redress is fair, consistent, and considers our regulatory obligations and the guidance provided by the Housing Ombudsman.

We will always:

- Apply an empathetic, fair and consistent approach when considering redress
- Consider the complainants individual circumstances, as well as the severity, impact, and inconvenience suffered as a result of any poor service
- Provide a detailed breakdown showing the value of any compensation awarded and be open and transparent about how it has been calculated
- Make compensation payments directly to the complainant and will not deduct any payments from a rent account, or monies owed. All payments will be made promptly
- Be clear, fair and consistent about the circumstances under which we will not pay statutory and discretionary compensation

Types of compensation

Our approach to compensation is set out into the following categories:

1. Statutory compensation

- **Right to Repair** (introduced as part of the Citizens Charter Scheme 1st April 1994)
- **Right to Compensation for improvements** (introduced as part of the Citizens Charter Scheme 1st April 1994)
- **Home Loss and Disturbance Payments** (under the terms of the Land Compensation Act 1973 as amended)

2. Quantifiable loss payments

Reimbursement for damage to personal belongings, increased heating costs, sourcing and payment of alternative accommodation, cost of redecoration, take away meals, cleaning and carrying out repairs where Onward Homes has failed to meet its service standards. **Note: Customers may be required to provide evidence of costs incurred.**

3. Discretionary compensation

Discretionary compensation may be awarded where it is identified that there have been delays in providing a service such as a repair, where our services are not in line with our published service standards, if we have failed to adhere to our targets and/or response times, or if we have failed to effectively respond to a customer enquiry or complaint.

4. Compensation payments ordered by the Housing Ombudsman

In cases where a complaint is referred to the Ombudsman, and it is identified that there has been maladministration or service failure on the part of Onward, the Ombudsman may order a financial or non-financial form of compensation.

Formulating corrective action

This guidance should be used in conjunction with the Onward Complaint Resolution Policy and the Housing Ombudsman's Complaint Handling Code. During the process of considering an appropriate remedy, we will use the Housing Ombudsman's Guidance on remedies (housing-ombudsman.org.uk).

Compensation and gestures of goodwill may be awarded in response to customer dissatisfaction, disturbance, or inconvenience suffered as part of a formal or informal complaint, and/or where it is deemed necessary to acknowledge poor service. It is not a pre-requisite that a formal or informal complaint must be made prior to awarding compensation.

Examples of where compensation may be used to supplement other corrective action are (this list has been prepared for guidance and should not be considered exhaustive):

- Where there has been an unreasonable delay in providing our services or responding to an enquiry
- Where we fail to respond to, or process a complaint within our agreed policy timescales and/or we have not complied with the Complaint Handling Code
- Inaccurate or inadequate advice, explanation or information is provided
- Onward's policy or procedure was not followed correctly without good reason
- Where we fail to attend a pre-booked appointment without prior notification, or good reason, but not because the customer was unavailable or changed the appointment time/date
- Where we fail to satisfactorily deal with repairs and maintenance that are our responsibility, and the circumstances adversely impact the customers enjoyment of their home for longer than is reasonable
- Where our failure has caused the loss of facilities and/or amenities beyond the agreed response times e.g. heating and/or hot water, or the customer is unable to use part of their home/equipment
- Where a customer is required to temporarily move out of their home
- There was a factual or legal error that impacted on the outcome for the customer
- Where there is evidence of unprofessional behaviour by colleagues or representatives of Onward
- Where legislation, such as the Right to Repair requires it

Circumstances under which we would not usually pay compensation are (this list has been prepared for guidance and should not be considered exhaustive).

- Where there are exceptional circumstances which have resulted in service failure or delay, which are outside of our control such as the impact of a pandemic, adverse weather, supply chain issues
- Where we have not been kept informed and could not reasonably have known that there was an issue
- Where customers have made sub-standard home improvements and/or carried out repairs, modifications or adaptations without prior consent from Onward
- Where a fault or service failure arises as a result of a customer's misuse, negligence, or damage
- Where customers have refused the necessary repairs required to resolve the issue or have refused reasonable access for us to complete the repairs. This includes when customers are unavailable at the time of a pre-planned repair appointment
- Where the service failure is the fault of a third party such as a utility company
- Short-term disruption or nuisance caused by necessary repairs or other activities
- We do not make reimbursements to cover a loss of earnings. However, a discretionary compensation payment may be considered in recognition of a customer's time and effort taken to resolve the issue

Types of remedy

In line with our Complaint Resolution Policy, it is our ambition to resolve customer concerns quickly, effectively, and where possible, informally. To enable resolutions to take place in this way, our colleagues have the autonomy to utilise a variety of remedies.

Non-financial remedies

It is not always necessary or appropriate to issue a financial payment to resolve a complainant's issue or complaint. Sometimes, it may be as simple as offering the customer an apology, escalating a delayed repair, or providing assurance that our policies and processes will be improved. Other gestures of goodwill may include do-it-yourself decoration vouchers, flowers, or a personalised card.

Fixed goodwill payments

Regrettably, there may be occasions whereby a pre-arranged appointment may not be attended by an Onward representative, or a contract partner. If as part of our investigations into a formal or informal complaint it is identified that an appointment has been missed, i.e., the appointment is not attended at the pre-agreed time or is rescheduled without providing at least 24 hours' notice to the customer, a fixed compensation payment of £10 (ten pounds) may be awarded.

Payments will not be made where:

- Access has been refused by the customer
- The customer was not present and so could not provide access
- The customer has rejected the fixed payment and wishes to escalate the informal complaint and proceed to Stage 1 of our Complaint Resolution Policy

Discretionary goodwill payments

Where poor service and/or customer detriment is identified during the informal complaint resolution process, our Customer Escalations team may offer a discretionary goodwill payment of up to a maximum of £150 (one hundred and fifty pounds).

Poor complaint handling

Where we have failed to adhere to our Complaint Resolution Policy e.g. timeframes set out in our policy, poor communication, a failure to respond to correspondence etc, a compensation amount of up to £150 (one hundred and fifty pounds) may be awarded.

Discretionary compensation

We will acknowledge and process any claim for compensation in line with our complaint handling procedures. However, some claims may be complex in nature, and we may need more time to investigate. In cases such as this, we will contact the customer and agree a suitable extension. Where compensation claims are linked to a complaint, claims will not be finalised until the complaint has been investigated in full.

In all cases, we will liaise directly with the complainant to understand their individual circumstances, including any vulnerabilities, and to gain their views as to what would be an acceptable remedy. Consideration will also be given to the duration and severity of any avoidable distress and/or inconvenience and we will always make any decision in conjunction with the Housing Ombudsman's Policy and Guidance on remedies.

Declining a compensation claim

All claims for compensation will be considered on their own merits and in a fair and consistent manner. If we decline a claim for compensation, we will confirm our decision to the complainant in writing and advise them of their right to formally complain, should they be unhappy with our decision.

Where the compensation claim is in relation to an existing complaint, the customer may request that the complaint is escalated to the next stage of our complaints process.

Processing compensation payments

No full or partial refunds will be offered for rent in addition to the compensation detailed in this guidance. Where rent refunds are offered, this guidance does not apply.

No full or partial refunds for service charges will be offered in addition to the compensation detailed in this guidance. Where service charge refunds are offered, this guidance does not apply.

When compensation is awarded, the compensation amount will be confirmed in writing. Customers will be required to confirm acceptance.

Where compensation is to be a financial payment, payment will be made via BACS transfer to the complainants nominated bank account.

If you want to speak to us about anything else you can:



Call **0300 555 0600**. We are available from 8am - 8pm (Monday, Tuesday, Thursday and Friday) and on Wednesday from 10am - 8pm.



Send an email to customerservices@onward.co.uk



Use the [My Onward Portal](#) or our Live Chat or WhatsApp (**07793 795882**) services

If need you help communicating with us,
please get in touch – 0300 555 0600

Jeśli potrzebujesz pomocy w komunikowaniu się z nami, daj znać - 0300 555 0600

Si vous avez besoin d'aide pour communiquer avec nous, contactez-nous au 0300 555 0600

Ha beszélni szeretne velünk, kérjük hívja a 0300 555 0600-as telefonszámot

与我们沟通方面如需帮助，请致电：0300 555 0600

اگر برای ارتباط با ما به کمک نیاز دارید، لطفاً با شماره 0300 555 0600 تماس بگیرید

لو حایي تتواصل معنا اتصل علی - 03005550600

إذا احتجت إلى المساعدة والتواصل معنا، يرجى الاتصال على - 0300 555 0600

Ikiwa unahitaji msaada wa kuwasiliana nasi, tafadhali wasiliana nasi kupitia nambari ya simu – 0300 555 0600

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আমাদের সাথে বার্তা বিনিময় করার জন্য সাহায্য লাগলে, অনুগ্রহ করে এই নম্বরে যোগাযোগ করুন – 0300 555 0600

ਜੇਕਰ ਸਾਡੇ ਨਾਲ ਗੱਲਬਾਤ ਕਰਨ ਵਿੱਚ ਮਦਦ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ - 0300 555 0600

اگر آپ کو ہم سے مواصلت کرنے میں مدد درکار ہے تو، براہ کرم رابطہ کریں – 0300 555 0600