



Complaints and Financial Redress Policy 2024 - 2027

Purpose

This document sets out our overall approach to handling complaints, in addition to our Remedy and Financial Redress Policy.

Document Control

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1. Policy aims

1.1 Derby Homes aims to provide services that meet customer needs, both in terms of appropriateness and quality. If something goes wrong, we want to be able to resolve complaints at the earliest available opportunity and learn lessons to help improve our services.

1.2 We are committed to making the process of complaining as simple and straight forward as possible in line with our Customer First principles.

1.3 We want customers to be able to raise a complaint so we can respond, put things right in a fair and timely manner and learn from their complaint.

1.4 We do not view high volumes of complaints as a negative. We also analyse areas where there are low volumes of complaints to ensure individuals can complain.

1.5 We publicise this policy on our website, social media, Derby Homes News and other regular communications.

2. Statutory/Regulatory requirements

2.1 This policy is directly aligned with the Housing Ombudsman and Local Government and Social Care Ombudsman's Complaint Handling Code.

2.2 This policy is also in line with relevant legislation such as:

- The Localism Act 2011,
- Housing Act 1996 (schedule 2),
- General Data Protection Act 2018,
- Equality Act 2010,
- Transparency, Influence and Accountability Consumer Standard
- Building Safety Act 2022

Building Safety

2.3 As part of the Building Safety Act 2022, we consider complaints from our high-rise property, Rivermead House, in accordance with the complaints handling code. We have an Accountable person and a Principal Accountable person at Derby Homes and Derby City Council specifically for this property as part of the Building Safety Act 2022.

2.4 We monitor complaints from Rivermead House within the complaints process to ensure we create a voice for residents and understand if there are any building safety concerns. If residents are not happy with how their complaint was handled specifically for building safety, Derby Homes will inform the customer of how to contact the Building Safety Regulator.

3. What is a complaint and a service request?

3.1 A complaint is defined by the handling code as:

“an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.”

A customer does not have to use the word ‘complaint’ for it to be treated as such. When a customer expresses dissatisfaction, we will ask the customer if they would like to raise a complaint.

3.2 When we are reviewing complaints that are related to building safety, a relevant complaint is about either:

- a) a building safety risk as regards the building, or
- b) the performance by an accountable person for the building of any duty under, or under regulations made under the Building Safety Act

3.3 There may be times when we are unaware of an issue, and it is the first time a customer has reported it to us. This is called a service request, which is defined as:

“a request from a resident, to the landlord, requiring action to be taken to put something right.”

This might be a first request for service, advice or a missed appointment. A service request is not a complaint, but we do record and monitor these.

If a customer expresses dissatisfaction with the response to their service request, this will then enter the complaints process.

4. Who can/cannot make a complaint?

4.1 The policy applies to anyone who receives or requests a service from Derby Homes. This can include:

- current tenants
- leaseholders
- people making a housing application
- a former tenant
- a non-resident
- a number of people, such as a group complaint

- From an advocate on behalf of a customer with their permission.

4.2A complaint that is submitted through a third party or representative will be handled in line with the Derby Homes complaints policy.

4.3A group complaint is a complaint that has been submitted by residents from more than one property. A lead complainant will need to be established by the group making the complaint. Names and addresses of all members of the group complaint will be needed to show that permission has been gained and they want to be part of the group making the complaint.

4.4We will only communicate with the lead complainant. The lead complainant will then be able to share information with other residents and individuals' who are part of the group.

4.5If it appears that the individuals involved are raising different issues, or the circumstances vary although the issue may be similar, it may be more appropriate to deal with matters as separate complaints.

5. How to make a complaint

5.1Customers can contact Derby Homes to make a complaint in the most convenient way for them:

| | |
|---|--|
| In Person | Either through taking to a member of staff, or coming into one of our offices. |
| By emailing: | housing.complaints@derbyhomes.org |
| By writing to: | The Complaints Team, 839 London Rd, Derby, DE24 8UZ |
| By the website: | www.derbyhomes.org |
| By the online self-service portal: | www.my.derbyhomes.org |
| By telephone: | 01332 888777 |
| By Social Media: | Through our Facebook or X profile. |

5.2If you raise a complaint through social media, we will send you a message to ask for more information which is outlined below, before then entering the complaint into the complaints process.

5.3When reporting a complaint, we may ask you:

- What the problem is and what action you think should be taken to resolve it
- If you need any assistance to raise your complaint.
- If you have any reasonable adjustments that you wish us to consider as part of this complaint.
- Your name, address, email and contact number, and

- the best way to communicate with you.

6. Who handles the complaints process?

- 6.1 We aim to resolve complaints at the earliest opportunity. We recognise that every complaint is different and will require individual investigation. We will maintain our commitment to fairness, transparently and consistency during the process.
- 6.2 We have a core dedicated team responsible for handling complaints, who have the authority and autonomy to act to resolve complaints quickly and fairly.
- 6.3 The team are responsible for the complaint handling process, including liaison with the relevant Ombudsman's and reporting complaints to our relevant governing body (Derby City Council).
- 6.4 The team report on complaint handling performance, which is detailed more in section 12. The team prioritise complaint handling and influence a culture of learning from complaints across the organisation.
- 6.5 The team oversee training on the importance of effective complaint handling across Derby Homes.
- 6.6 All complaints that are received, including complaints about contractors, are not handled by a third party but by Derby Homes' complaints team.
- 6.7 At each stage of the complaints process, the complaints team will:
- deal with complaints on their merits, act independently, and have an open mind;
 - give the resident a fair chance to set out their position;
 - take measures to address any actual or perceived conflict of interest; and consider all relevant information and evidence carefully.
- 6.8 There are times when complaints are not isolated to one service area. There may be times when several services have been included and it involves both Derby City Council and Derby Homes teams. When this occurs, the complaint will be handled based on individual merit and where the majority of the complaint is based. Where there is a larger proportion of dissatisfaction with Derby City Council, the Council will coordinate the response. Where the majority of the complaint is Derby Homes, this will be handled in line with Derby Homes' complaints policy and investigated by Derby Homes' Complaints and Feedback team. The investigation will gather information from the affected customer and all services involved, in order to resolve the complaint

7. The Complaints Process

7.1 Our complaints process has two stages, in line with the Complaint Handling Code 2024.

Stage 1

7.2 We aim to resolve all complaints at this stage. Most stage 1 complaints can be resolved quickly with an explanation, apology or resolution provided to the customer.

7.3 The timescales once a complaint has been made are:

| | |
|---|---|
| Acknowledgement | 5 working days |
| Full response | 10 working days after the complaint has been acknowledged |
| Potential extension (with reasoning) | 10 working days |

7.4 Where customers raise additional complaints during the investigation, these are incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued and the new issues are unrelated to the issues already being investigated, or it would unreasonably delay the response, the new issues are logged as a new complaint.

7.5 Our complaints team will contact the customer to discuss the complaint to:

- a. clarify any aspects of the complaint they are unclear about,
- b. understand the outcomes the customer is seeking,
- c. give a customer the opportunity to tell us more information,
- d. confirm any elements Derby Homes are not responsible for or are unclear,
- e. ask if the customer has any support needs to help identify any reasonable adjustments that may be required.

7.6 The Team will work with relevant service leads to gather all the information to investigate the complaint.

7.7 Before the complaint response is sent to a customer, the Complaints Team will contact the customer to discuss the outcome of their investigation. A full response will be sent to the customer after this conversation. Where we have been unable to talk to the customer, a response letter will be sent.

7.8 Where we are unable to make contact with the customer, we will conduct a desk top review and investigate the complaint on the information available before sending a full response to the customer.

7.9 We will confirm the following in writing at the completion of stage 1:

- a. the complaint stage;

- b. the complaint definition
- c. the decision on the complaint;
- d. the reasons for any decisions made;
- e. the details of any remedy offered to put things right;
- f. details of any outstanding actions;
- g. We address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate,
- h. details of how to escalate the matter to stage 2 if the customer is not satisfied with the response, and
- i. details of how to escalate the matter to the relevant Ombudsman Service if the customer remains dissatisfied.

7.10 A complaint response is sent to customer when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions are tracked and actioned promptly with appropriate updates provided to the customer.

7.11 If the customer is not satisfied with the response given at stage 1, they can ask for this to be reviewed by escalating their complaint to the stage 2, this is referred to as a stage 2 complaint.

Stage 2

7.12 Customers do not have to explain their reasons for wanting a stage 2, simply that they remain unhappy. Derby Homes will make reasonable efforts to understand why the customer remains unhappy as part of the stage 2 response.

7.13 Stage 2 is the final response from Derby Homes. It will involve all suitable members of staff needed to issue the response.

7.14 The person considering the complaint at stage 2 is never the same person that considered the complaint at stage 1. The relevant Head of Service will appoint the most appropriate officer to investigate the stage 2 complaint.

7.15 The timescales once a complaint has been made are:

| | |
|---|---|
| Acknowledgement | 5 working days |
| Full response | 20 working days after the complaint has been acknowledged |
| Potential extension (with reasoning) | 20 working days |

7.16 On receipt of the escalation request, the investigating officer will contact the customer to discuss the stage 2 complaint to:

- a. clarify any aspects of the complaint they are unclear about,
- b. understand the outcomes the customer is seeking,
- c. give a customer the opportunity to tell us more information,
- d. confirm any elements Derby Homes are not responsible for or are unclear
- e. ask if the customer has any support needs to help identify any reasonable adjustments that may be required.

7.17 The stage 2 complaint must be made within 12 months of the issue occurring, or the customer becoming aware of the issue. Discretion will be applied where there is good reason to consider a complaint out of this timescale.

7.18 We will confirm the following in writing at the completion of stage 2:

- a. the complaint stage;
- b. the complaint definition
- c. the decision on the complaint;
- d. the reasons for any decisions made;
- e. the details of any remedy offered to put things right;
- f. details of any outstanding actions;
- g. We address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate,
- h. details of how to escalate the matter to the relevant Ombudsman Service if the customer remains dissatisfied.

7.19 A complaint response is sent to customer when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions are tracked and actioned promptly with appropriate updates provided to the customer.

Extensions

7.20 Derby Homes will decide whether an extension to complaints timescales is needed when considering the complexity of the complaint and then inform customer of the expected timescale for response.

| | |
|---------------------------|--|
| Stage 1 extensions | No more than 10 days without good reason |
| Stage 2 extensions | No more than 20 days without good reason |

7.21 For all extensions, customers will be provided reasons for the delay and agree an extension and provide a new response date in line with the timescales

above and suitable intervals for keeping them informed about their complaint. At this stage, the relevant ombudsman details are provided.

7.22 Any extensions are in line with the “comply or explain” principles set out in the Code and clearly communicated to the complainant.

8. Exclusions and timeframes

8.1 A complaint must be made within 12 months of the issue occurring, or the customer becoming aware of the issue. Discretion will be applied where there is good reason to consider a complaint out of this timescale.

8.2 If we decide not to accept a complaint, this will be explained to the customer along with contact details for the relevant Ombudsman. Each complaint is reviewed on its own merit.

8.3 There are certain types of complaints that are not covered by this policy and will not be considered or escalated as a complaint. They are:

- Anonymous complaints
- Complaints that are being pursued in an unreasonable manner
- A report of Anti-Social Behaviour – unless it is a complaint about how reports of Anti-Social Behaviour have been handled.
- A request for information / explanation of our policies
- A complaint that has already been fully investigated in line with this policy.
- Where we have specific arrangements with the customer in line with our Unacceptable User Action Policy
- Cases that have been referred to the insurance company, where legal action is being taken or a disrepair case has been submitted, where action has commenced following the pre-action protocol
- Where Derby Homes can assist but the underlying issue is not within the control or remit of the organisation
- Where the issue occurred more than 12 months ago

8.4 Requests from Members of Parliament and Councillors will be addressed as part of a separate policy. Where it is clear the request relates to a complaint, we will contact the customer and ask if they wish this to be considered as an official complaint alongside the enquiry.

9. Equality and diversity

9.1 We believe in treating everyone fairly and with respect. We value diversity and are committed to equal access of our services. Our 2 stage complaints

process is in line with statutory regulation to maximise fairness and opportunity to give us feedback and promote learning.

9.2 This policy is aligned with the following Derby Homes policies:

- Equality and Diversity Policy
- Reasonable Adjustment Policy
- Inclusion Strategy
- Advocacy policy

9.3 We take account of the complexity of the complaint and whether the customer is vulnerable or at risk when reviewing a complaint.

9.4 As part of our process, we ask at stage 1 and stage 2 if a customer has any support needs to help identify any reasonable adjustments that may be required in the handling of the complaint. All complaints are then handled based on their individual need. We keep a record of agreed reasonable adjustments and keep these under review during the complaints process.

10. Managing unacceptable behaviour

10.1 In a small number of cases, the actions of individuals may become unacceptable because they involve the abuse of our employees, attempts to circumvent our processes, or make excessive demands on resources.

10.2 Derby Homes reserves the right to manage a customer's contact in circumstances where their behaviour meets the definition of our Unacceptable Customer Action Policy. This will be proportionate and in line with the Equality Act 2010.

11. Ombudsman services

11.1 Customers have the right to access the Ombudsman services at any time during our complaints process. The Ombudsman can provide advice and guidance to support the early and local resolution of a case at any point in proceedings.

11.2 We promote access to the Ombudsman services at every stage of our complaints process. The ombudsman oversees different types of complaints so it's important to check which ombudsman is right for a complaint. Detailed information can be found on the website below or we have written a summary for each ombudsman.

[Which ombudsman for social housing complaints? - Local Government and Social Care Ombudsman](#)

[The Housing Ombudsman](#)

11.3 The Housing Ombudsman considers complaints about housing associations and local housing authorities. This can include leaseholder services, moving to a property, rent and service charges, occupancy rights, property conditions, tenant behaviour, estate management, complaint handling and compensation.

The contact details for the Housing Ombudsman service are:

| | |
|-------------------------------|--|
| Online complaint form: | www.housing-ombudsman.org.uk/residents/make-a-complaint/ |
| Phone: | 0300 111 3000 |
| Email: | info@housing-ombudsman.org.uk |
| Postal address: | Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ |

11.4 The Housing Ombudsman service is set up by law to look at complaints about housing organisations. The service is free, independent, and impartial.

The Housing Ombudsman has the power to consider complaints and decide what is ‘fair in all circumstances of the case’.

When things go wrong, they can make orders and recommendations to put things right or to improve service failure.

Local Government and Social Care Ombudsman Service

11.5 The Local Government and Social Care Ombudsman considers complaints about local authorities’ wider activities, for example in discharging their statutory duties in homelessness. This includes housing allocations, homelessness, general housing advice, housing benefit, housing improvement grants and adult social care.

11.6 If you have been through all stages of our complaints procedure and are still unhappy, you can ask the Local Government and Social Care Ombudsman to review your complaint. The Ombudsman expects you to have given us chance to deal with your complaint, before you contact them. If you have not heard from us within a reasonable time, it may decide to look into your complaint anyway. This is usually up to 12 weeks.

When things go wrong, they can make orders and recommendations to put things right or to improve service failure. The service is free, independent, and impartial.

The contact details for the Local Government and Social Care Ombudsman are:

| | |
|-------------------------------|---|
| Online complaint form: | https://complaints.lgo.org.uk/complaint-form/ |
| Phone: | 0300 061 0614 |

| | |
|------------------------|---|
| | |
| Postal address: | Local Government and Social Care Ombudsman PO Box 4771 Coventry CV4 0EH |

Building Safety Regulator

11.7 For customers that live in a high-rise building (such as Rivermead House) who remain dissatisfied with the services about building safety Derby Homes provide, contact can be made directly to the Building Safety Regulator at any time during our complaints process. This can include complaints about:

- issues in a high-rise residential building that could lead to fire spreading
- issues in a high-rise residential building that could lead to part or all of the building collapsing
- issues with fire safety or structural integrity in a high-rise residential building that is being designed, built or renovated
- people and organisations the regulator oversees, for example building inspectors and people accountable for safety in a building
- The Building Safety Regulator itself.

The details for the Building Safety Regulator are:

| | |
|-------------------------------|---|
| Online complaint form: | https://www.gov.uk/guidance/contact-the-building-safety-regulator |
| Phone: | 0300 790 6787 |
| Email: | enquiries@hse.gov.uk |
| Postal address: | The Building Safety Regulator, The Health and Safety Executive Redgrave Court Merton Road Bootle Liverpool L20 7HS |

12. Monitoring and reporting complaints

12.1 In order to monitor our complaints we keep the following information:

- We keep a full record of the complaint,
- the outcomes at each stage. This includes the original complaint and the date received,

- any extensions to timescales
- all correspondence with the individual
- correspondence with other parties and
- any relevant supporting documentation such as reports or surveys.

12.2 Any outstanding repairs or promised actions which are discussed with the customer are monitored on a tracker by the Complaints team and customers are given regular updates.

12.3 We have systems in place to ensure that a complaint can be remedied at any stage of our complaints process.

12.4 Complaints are recorded on our system as either 'Upheld' or 'Not upheld'.

12.5 If a complaint is upheld at stage 1, and the stage 2 response agrees with those findings, we record the complaint as upheld. This is the case even if the stage 2 response finds no fault in the way the stage 1 complaint was handled.

12.6 We will produce an annual complaints performance and service improvement report for scrutiny and challenge, which includes:

- a) the annual self-assessment against this Code to ensure our complaint handling policy remains in line with its requirements.
- b) a qualitative and quantitative analysis of our complaint handling performance. This includes a summary of the types of complaints we have refused to accept;
- c) any findings of non-compliance with the Code;
- d) the service improvements made as a result of the learning from complaints;
- e) our performance in relation to Ombudsman's determinations; and
- f) any other relevant reports or publications from the Ombudsman's.
- g) Derby City Council's response to the annual report.

12.7 Our annual complaints performance and service improvement report is reported to Derby City Council, Derby Homes Board, Operational Board and published to customers.

13. Learning from Complaints

13.1 Customer satisfaction is very important to us, and we use customer feedback, including learning from complaints to shape improvements to our services.

13.2 Our annual report includes details of our complaints performance and how we have improved services in line with learning from complaints.

13.3 Derby Homes have a Lesson's Learned framework for learning from complaints. We look beyond the circumstances of the individual complaint and consider whether any service improvements should be made as a result of any learning. We use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.

13.4 We report back on wider learning and improvements from complaints in an annual report and more frequently through our governance framework such as Derby Homes' Board and Operational Board.

13.5 A suitably senior executive oversees our complaint handling performance. They assess any themes or trends to identify potential systemic issues, serious risks or policies and procedures that require revision.

13.6 Within Derby Homes our complaints policy is overseen by:

- Derby City Council Strategic Partnership Board
- Derby Homes Board
- Operational Board
- Managing Director
- Finance Director and Company Secretary
- Head of Quality and Consumer Regulation

13.7 As part of this oversight, Derby Homes also has a Member Responsible for Complaints who is part of the Board.

13.8 Derby Homes has a Board member position of a Complaints Champion. The Complaints process directly related to our Strategic Objective:

'Service that puts our customers first'.

14. 'Putting things right' - Our remedy and financial redress policy

14.1 We are committed to providing a high-quality service, but from time to time, mistakes happen. When this happens, we look at each case individually to identify what action is needed to put it right. We carry out a fair and impartial assessment which seeks to resolve the complaint that has been brought to us. As part of the investigation, we will provide fair and proportionate remedies which are appropriate to the circumstances of the complaint. This policy is aligned with the Housing Ombudsman guidance on appropriate remedies.

14.2 Remedies and redress can be agreed without the customer submitting a complaint; however this will be logged formally in the complaints process to accurately monitor dissatisfaction.

14.3 This policy provides a framework for considering the most appropriate remedies and redress, however discretion can be used considering the individual circumstances of a particular case.

14.4 Questions that may help us to decide what is an appropriate remedy to a complaint includes (but are not limited to) the following:

- Has the customer been adversely affected by Derby Homes actions or omissions? If so, how and over what period of time?
- Does the customer or their family have any disabilities or vulnerabilities which meant that they were more adversely affected?
- Were there any other circumstances which meant that the circumstances of the complaint were more detrimental to this particular customer?
- Is it possible to restore the customer to the position they would have been in? If not, what remedies are needed to put matters right for the customer?
- What does the customer want in terms of a resolution to their complaint?
- Is there an actual quantifiable financial loss – for example, has the customer incurred costs as a result of what happened, or not received payments that they should have?
- What remedy would be proportionate, appropriate and reasonable in the circumstances of the case?

What is a remedy?

14.5 A remedy is the means by which we put things right after something has gone wrong. A remedy is a set of measure(s) that will seek to correct the level of what went wrong. There are a number of measures that can be considered to put things right for the complainant, which may include:

- Making an apology
- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Taking action if there has been a delay
- Carrying out the service required quickly and efficiently.
- Reconsidering or changing a decision,
- Amending a record or adding a correction or addendum,
- Change of practice, policy or procedure as part of lesson's learned
- Employee training and development
- A financial remedy if the complainant has suffered a clear and definable financial loss or out of pocket expenses

14.6 The remedies that we set out should, as far as possible, put a customer back in the position they would have been in had the issue that had been identified not occurred. Where this is not possible we will consider whether another remedy, such as financial redress, is appropriate. This section sets out the types of remedies we can make.

Apology

14.7 In some circumstances an apology is all that is required. An apology can be made in writing or in person to the customer. The most appropriate form and method of communicating an apology will depend on the circumstances of the case. An apology should:

- acknowledge what went wrong or service failure.
- accept responsibility for it.
- explain clearly why it happened.
- express sincere regret
- where appropriate, include assurances that the same issue should not occur again and set out what steps have been taken to ensure this.

Specific action

14.8 We always consider whether there is some practical action which would provide all or part of a suitable remedy. The action identified may require that we:

- Perform / do not perform any contractual or other obligations existing between us and the customer
- Exercise/ do not exercise any rights existing between us and the customer
- Undertake / refrain from undertaking works, for example to repair a property
- take such other reasonable steps to put things right as are within its legal powers, for example, reviews or changes a decision on the service given to a customer or does something else to make things better for the customer in order to recognise the impact of the complaint.

14.9 In some cases, we cannot specify exactly what actions should happen and give specific timescales for these, as these actions will depend on further investigation by our complaints team. In such circumstances we would set out a remedy that we will arrange for a further inspection or seek specialist advice within a specified timeframe and then set out a schedule of works needed once it has this second opinion or expert advice.

Payments

14.10 Sometimes, remedies are not enough for customers and there is a need for additional measures to be considered to put things right. We categorise financial redress into different areas, depending on the circumstances of the complaint.

Good will gestures:

14.11 A Goodwill gesture may be paid where there is no legal obligation to make a payment.

An example of this may be:

- parts from contractor delaying work
- poor complaint handling
- delays in providing a service e.g. in undertaking a repair
- failure to provide a service that has been charged for
- temporary loss of facility
- failure to meet target response times
- loss of use of part of the property
- failure to follow policy and procedure
- unreasonable time taken to resolve a situation

Occasionally in exceptional circumstances a payment in recognition of distress or inconvenience may be made.

Financial redress

14.12 A financial redress will be paid if it has been identified that Derby Homes is at fault as a way to provide a remedy to the customer. Redress is not remedy for the complainant to gain financially.

14.13 Broadly financial redress falls into two categories: actual quantifiable financial loss and other financial redress. Factors we may take into account when deciding the overall amount include:

- the duration of any avoidable distress or inconvenience
- the severity of the event
- actions by the customer or Derby Homes which either mitigated or contributed to actual financial loss, distress, inconvenience or unfair impact

14.14 Our calculations are always based on what we consider to be fair in the particular circumstances of the case. We do not set minimum and maximum amounts.

14.15 In some cases, it is relatively straight-forward to quantify the amount of financial redress that would be fair in the circumstances. But many of the cases we deal with are more complex and financial redress cannot be easily quantified in this way.

Quantifiable financial loss

14.16 We consider if there has been an actual, evidenced financial loss incurred as a direct result of the complaint we have identified in an investigation. Circumstances in which we may decide that quantifiable financial loss could include:

- Cleaning bills
- Takeaway food/ ready meals
- New carpet/ flooring

14.17 In our outcome letter, we will provide a summary of how we have decided the financial redress figure, so that it is clear about the basis on which we have proposed the remedy.

Unquantifiable financial loss

14.18 Whilst it is generally reasonable to ask a customer to provide evidence of the costs they have incurred, there may be occasions where no such evidence is available.

14.19 Where we are satisfied that, on the balance of probabilities, a customer has incurred costs but has not been able to evidence this and it is not possible to provide a reasonable estimate, we may pay an amount in recognition of the fact that the customer has incurred costs that would not have arisen had the complaint not occurred.

Examples where we will not make a payment:

No prior notice to landlord

14.20 Each case is considered on its own merits and we will not pay out of pocket costs incurred by customer where we have not been given the opportunity to rectify matters first. For example, if a customer decided that a repair was needed, but chose to arrange and pay for their own contractor to do the work rather than reporting it to Derby Homes first.

Additional unforeseen costs

14.21 Customers may incur other costs for example where they have chosen to use a solicitor or other professional to help them to pursue their complaint. Our complaints process is fair and accessible to all, and customers should not need to seek such advice to make or progress a complaint. The Ombudsman provides

free and impartial services, which are accessible. We are therefore unlikely to reimburse a customer for such fees.

Losses for personal belongings

14.22 In the case of reimbursement for loss or damage to personal belongings, we would direct the customer to their home contents insurance provider.

Insurance claims

14.23 In some cases, it will be appropriate to direct a customer to make an insurance claim rather than pursue all or part of their concerns as a formal complaint. This will be communicated with the customer and we can help a customer make an insurance claim or provide further information in that regard.

Compensation

14.24 Derby Homes will only make a compensation payment where it has been determined by the Ombudsmen that we are at fault and a maladministration has been received. Other examples include:

- Statutory payments
- Right to repair
- Disrepair
- Personal injury claims
- Insurance claims

14.25 For all other payments to remedy a complaint, these payments are classed as either a goodwill gesture or financial redress.

Guidance on Calculating Payments

14.26 Our framework for suggested ranges of payment levels that investigating officers may take into consideration when deciding what remedy should be made can be found in the table below.

| Level of Impact to Customer | Inconvenience caused | Remedy or redress value | Authorisation Level |
|------------------------------------|---|--------------------------------|--|
| Minor | Missed appointment or A succession of service failures and / or the problem is not resolved within a reasonable timescale No permanent impact. | £10 up to £600 | Relevant supervisor / Manager Complaints team |

| | | | |
|-----------------|--|-----------------------------|---|
| | A succession of service failures and / or the problem is not resolved within a reasonable timescale. | | |
| Moderate | Serious or prolonged service failure or loss of facilities resulting in disruption, inconvenience and / or damage | £600 - £1,000 | Relevant supervisor / Manager Complaints team |
| Severe | Significant impact or prolonged service failure or loss of facilities resulting in disruption, inconvenience, damage or physical and/or emotional impact. Personal Injury Claim | £1,000 + Over £5,000 | Senior Management Team Referred to Derby Homes Board and / or Derby Homes Insurance provider |

How Payments are made

14.27 It is the Ombudsman's position that compensation awarded by Derby Homes should be treated separately from any existing financial arrangement between us and the customer and should not be offset against any arrears.

14.28 Where a payment is to be made to a customer, this will be paid directly to the customer where they have provided bank details. If the customer does not provide bank details within 1 month of the closed complaint, then the financial redress will be issued against the rent account.