



## Remedies Policy

### 1. PURPOSE

- 1.1. Falcon Housing Association C.I.C (FHA) aims to provide a positive customer experience and fair and proportionate remedies following the upholding of a complaint.
- 1.2. When investigating complaints we carry out a fair and impartial assessment, which seeks to resolve complaints and provide a positive customer experience. As part of the investigation, we will provide fair and proportionate remedies which are appropriate to the circumstances of the individual case.
- 1.3. Our staff exercise their discretion when considering what the most appropriate remedies in a case should be, considering the individual circumstances of that particular case. This guidance cannot cover every individual scenario or circumstance that we will consider and therefore remedies we set out will be different in every case.
- 1.4. This policy sets out how FHA will manage and resolve customer complaints, which include a wide range of proportionate remedies that include both non-financial remedies and compensation.

### 2. WHAT IS A REMEDY

- 2.1. A remedy is the means by which we put things right after a complaint has been upheld. Our approach is based on guidance provided by the Housing Ombudsman, using the following principles.
- 2.2. **Be fair – seeking fair outcomes** - FHA will treat each case individually and ensure that the remedy is fair when considering the specific circumstances of the case by:
  - ✓ Providing a remedy which is appropriate and proportionate to the severity of the service failure.
  - ✓ Considering the impact of the action or behaviour of the complainant, as well as the landlord.
- 2.3. **Put things right** - The remedy will set out the measure(s) that will correct the level of service failure and will consider a range of measures to put things right for the complainant, including financial compensation.
- 2.4. **Learn from outcomes** - Where possible we will seek to add value by looking beyond the circumstances of the individual complaint and consider whether anything can be improved in terms of process and systems. Part of a remedy may be to ensure that changes are made to policies, procedures, systems, staff training, or all of these, to ensure that the service failure is not repeated, and lessons learned are put into practice to ensure improvements in service delivery.

### 3. TYPES OF REMEDIES

- 3.1. **Apology** - In some circumstances an apology is all that is required. An apology will be made in writing or in person and will be a corporate responsibility, not that of an individual. An apology should:

- ✓ acknowledge the service failure.
- ✓ accept responsibility for it.
- ✓ explain clearly why it happened.
- ✓ express sincere regret

3.2 **Specific action** - We will always consider whether there is some practical action which would provide all or part of a suitable remedy. The action may require that FHA:

- ✓ performs or does not perform any of the contractual or other obligations existing between them and the complainant.
- ✓ exercises or does not exercise any of the rights existing between them and the complainant
- ✓ undertakes or refrains from undertaking works e.g., to repair a property next to a person's home.
- ✓ takes such other reasonable steps to put things right as are within our legal powers e.g., reviews or changes a decision on the service given to an individual or does something else to make things better for the tenant to "make up" for service failings.

3.3 **Landlords' policies and procedures** - Remedial action may include improvements to FHA's policies or procedures, where systemic or potential systemic issues are identified. This may include:

- ✓ Revising publicised material
- ✓ Revising procedures to prevent the same thing happening again.
- ✓ Training or supervising staff

3.4 **Our approach to financial compensation** - All compensation calculations are based on what is considered fair in the particular circumstances of the case. We will usually pay compensation in these situations:

- ✓ actual, proven financial loss sustained as a direct result of the service failure.
- ✓ avoidable inconvenience, distress, detriment or other unfair impact of the service failure.

3.5 Factors we may consider when deciding the overall amount include:

- ✓ the duration of any avoidable distress or inconvenience
- ✓ the seriousness of any other unfair impact
- ✓ actions by the complainant or the landlord which either mitigated or contributed to actual financial loss, distress, inconvenience or unfair impact.
- ✓ the level of rent or service charges
- ✓ the landlord's own compensation policies
- ✓ the levels of compensation for similar cases

#### 4. POLICY REVIEW

4.1. This policy will be reviewed periodically and every three years. It will also be updated following any lessons learnt, and changes to best practice guidelines and legislation.



<b>Review Process</b>			
Policy review frequency:		Responsible for review:	
This policy / procedure will be reviewed on a 3-yearly basis.		This policy will be reviewed by: Housing Services Manager	
Version Control			
Version	Date approved	Next review date	Author / Title
V1	April 2023	31/05/2026	Sarah Taylor – HSM
Amendments:			