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Financial Redress

Introduction

Our powers are limited by law. One limit is that we cannot investigate a complaint if a remedy exists through a court of law. That is unless we are satisfied that it is unreasonable to expect you to resort to the courts.

If you are mainly looking for financial compensation or any other remedy which court action would give you, we may not be able to investigate your complaint.

While we can recommend financial redress in certain situations, it is important to bear in mind that any financial redress we may recommend is unlikely to be as much as if you successfully pursue your complaint through the courts.

How do we decide financial redress?

We make sure that any financial redress recommended is fair and proportionate and takes account of similar cases and previous decisions made.

In many cases financial redress will not be appropriate – another remedy such as an apology or action by the body complained about will be enough to remedy any injustice.

While we will take your views into account in reaching a decision on what (if any) remedy to recommend, it is ultimately up to us to decide what is reasonable.

In cases where we have decided that a recommendation of financial redress is appropriate, we use four levels of redress payment as a starting point. The four levels are designed to reflect the seriousness of the injustice caused. The four levels of redress payment are as follows:

Level 1 £50-£450 – Minor injustice and no long-term impact – for example, the body took a significant amount of time to respond to a complaint, and repeatedly failed to respond to you.

Level 2 £500-£950 – Moderate injustice with no or little long-term impact – for example, the body failed to give you accurate information in response to repeated questions from you, and there was an avoidable delay in giving treatment but with no long-term consequences.

Level 3 £1,000-£1,950 – Significant injustice with potentially long-term consequences – for example, a missed diagnosis or poor treatment that had consequences for a patient, or lack of social services support that a person could have had.

Level 4 £2,000+ – Very significant injustice with long-term consequences – for example, extremely serious harm, such as an avoidable death.

Further information

Examples of previous cases can be found on our website, on the 'Publications' tab under 'Our Findings' & 'The Ombudsman's Casebook'.

Contact us

If you are not sure whether we would be able to look into your complaint, please contact us on 0300 790 0203 or ask@ombudsman.wales

Also available in Welsh.