

LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE London Borough of Camden Remedies Policy & Procedure Complaints (service failure) Property Management	
REPORT OF Director of Property Management	
FOR SUBMISSION TO Audit and Corporate Governance Committee	DATE: 2 July 2025
SUMMARY OF REPORT This report sets out the proposed changes to the Camden Remedies Policy & Procedure Complaints (service failure), Property Management, which is considered in dealing with formal complaints, and seeks the Committee's approval for the revised policy. Local Government Act 1972 – Access to Information No documents that require listing were used in the preparation of this report. Contact Officer: Scot Reid, Head of Property Customer Services and Engagement. 5 Pancras Square London N1C 4AG Telephone: 020 7974 6303 Email: scot.reid@camden.gov.uk .	
RECOMMENDATIONS: The Committee is asked to note the contents of the report and to approve the revised London Borough of Camden Remedies Policy & Procedure Complaints (service failure) Property Management policy.	

Signed: 

Date: 20 June 2025

1. INTRODUCTION

- 1.1 This report highlights the necessity of having a fair, balanced, and considered Property Management compensation policy that aligns with the expectations of the Housing Ombudsman. The proposed policy outlined in Appendix A is the result of six months of collaboration with residents from the Housing Customer Oversight Panel and officers.
- 1.2 It is brought to the Audit and Corporate Governance Committee as the body responsible for 'agreeing the corporate complaints policy and procedure, remedies policy and procedure, and any other policies related to payments or benefits in kind arising from maladministration findings by an Ombudsman' (ACG Committee Terms of Reference).

2. BACKGROUND

- 2.1 Each year, we present our annual complaints submission to the Housing Ombudsman to the Resources and Corporate Performance Scrutiny Committee and the Cabinet. Along with this submission, we include our Camden Remedies Policy & Procedure for handling complaints related to service failures in Property Management. The policy specifically addresses compensation issues in Property Management and is a crucial part of our decision-making process for managing formal complaints at stage one. We are also required to review this policy regularly.
- 2.2 The Housing Ombudsman clearly outlines that, when determining whether compensation should be awarded, we must follow a specific approach:
- Assess the length of time and impact
 - Consider individual circumstances
 - Provide a clear compensation framework
 - Evaluate the effectiveness of redress
 - Good communication
 - Avoid arbitrary payments
 - Learning from complaints
- 2.3 Over the past 12 months, complaints, particularly about repairs, have risen, which is common among most Local Authorities. The Housing Ombudsman recently reported a 474% increase in complaints regarding substandard living conditions from 2019-20 to 2024-25.
- 2.4 Between May 2023 and April 2024, a total of £27,257.10 was paid in compensation as a result of formal complaints. However, this amount increased to £69,690.42 between May 2024 and April 2025.

- 2.5 Similarly, the Housing Ombudsman, when determining cases of service failure, is likely to award compensation to residents. We have noticed that this amount has also risen, and the Ombudsman has introduced new types of compensation, such as 'loss of enjoyment', in their decision-making process.
- 2.6 By implementing key changes in how we assess compensation early on, we aim to reduce the number of cases that are escalated to the Housing Ombudsman. Our goal is to ensure that we consider cases fairly and empathetically, taking into account the individual circumstances rather than applying a blanket approach.
- 2.7 We also believe that a new compensation policy reflective of the individual's circumstances may dissuade some residents who choose to pursue legal action rather than the complaints route, which is far more costly to the council.
- 2.8 The current policy for local remedies and compensation values in Property Services has been in place for over five years, with only minor adjustments made during that time. It has become evident that a fundamental review is necessary. Over the past six months, we have collaborated with our resident panel members from the Customer Oversight Panel to conduct a comprehensive review of this policy and have proposed significant changes. These adjustments better align with the expectations set by the Housing Ombudsman regarding compensation. This collaborative approach also aligns with the Social Housing (Regulation) Act 2023 and the 'Transparency, Influence, and Accountability Standard' which forms part of the Consumer Standards the Act introduced.
- 2.9 **Summary of Key Updates in the Revised LBC Remedies Policy and Procedure**
1. **Clarifying Eligibility for Remedies and Compensation**
We have clearly outlined the circumstances under which compensation payments or other remedies may be considered, such as in cases of service failures like mishandling complaints or not delivering paid-for services. This section aims to ensure transparency by helping residents understand when and why compensation might be awarded. It also sets out situations where compensation will not be offered, such as when issues are caused by third parties, are beyond Camden's control, or where residents can claim via personal insurance. This clarity was not included in the previous policy and helps manage expectations by outlining the limitations of our investigation process.
 2. **Definition and Scope of Financial Remedies**
The revised policy includes a comprehensive explanation of financial remedies, including how terms like "delay" or "unsuitable accommodation" are defined. We have broken down the types of financial remedies offered and categorised compensation levels, low, medium, and high, based on the severity of impact. This helps residents and staff understand how compensation is determined.

3. Updated Compensation Amounts

Compensation amounts have been reviewed and increased where appropriate, ensuring they more accurately reflect the impact experienced by residents. For example, the amount for "time and trouble" was previously between £100 and £300, but this has now been raised to £100 to £400.

4. Lift Reimbursement Clarifications

We have reintroduced specific guidance on compensation for lift outages, with clearer criteria on when residents are eligible. Under the updated policy, residents are now entitled to compensation if a lift is out of service for three consecutive days, including the first three days, reduced from the previous seven-day threshold. Compensation applies to residents living on the fourth floor and above, and now also to residents with mobility issues on any floor, whose compensation will be assessed based on individual needs.

5. Payment Processing Details

We have added detailed information on how compensation is paid once a complaint is upheld, for example, direct payment into a resident's bank account, subject to any rent arrears. Guidance on timelines and payment methods is also provided, ensuring transparency in the process.

6. Appeal and Escalation Guidance

To support residents who remain dissatisfied after a complaint decision, we have included step-by-step guidance on how to appeal both Stage 1 and Stage 2 outcomes. We also provide instructions on how to escalate complaints to the Housing Ombudsman for an independent review if needed.

7. Additional Resources and Support

The updated policy includes links to useful resources, such as the tenants' handbook, insurance guidance for tenants and leaseholders, and the Housing Ombudsman's compensation framework.

- 2.10 With extensive staff training to better understand and handle compensation requests, as well as the launch of a residents' communications plan, we propose that this policy go live on August 1, 2025.

3. Finance Comments of the Executive Director Corporate Services

- 3.1 The Council's expenditure on compensation related to formal complaints has increased considerably recently, as described in paragraph 2.4 above. The Property Management budget for all types of compensation was also considerably overspent in both 2023/24 and 2024/25.

- 3.2 The Council therefore needs to reduce expenditure on compensation. Its approach to this is to improve services so that compensation is minimised in the first place, and then if compensation is due, to award it in an equitable way in line with the new policy. The service does not anticipate the new policy will increase the average amount of compensation per case so it should be broadly cost neutral. However the new policy aims to reduce the number of complaints escalated to the Housing Ombudsman. Given complaints to the Housing

Ombudsman involve higher levels of compensation, this should also lead to reduced expenditure on compensation.

4. Legal Comments of the Borough Solicitor

4.1 The Borough Solicitor has been consulted and has no comments to add.

5. Environmental Implications

5.1 There are none.

Appendices

- 1. London Borough of Camden Remedies Policy & Procedure Complaints (service failure) Property Management**

REPORT ENDS

London Borough of Camden

Remedies Policy & Procedure

Complaints (service failure)

Property Management

Contents

1. Purpose.....	6
2. Scope	2
3. Definitions	2
4. Roles and responsibilities	8
5. Policy statement.....	8
6. Review	17
7. Related documents	17
8. Information and version control.....	17

1. Purpose

At Camden, we aim to deliver high-quality services. Sometimes, the standard of service falls below acceptable levels. We acknowledge when things go wrong and take responsibility for putting things right.

This document provides guidance on the offering of remedies which are proportionate, appropriate and reasonable and that take into consideration the facts and issues raised in complaints about service failures.

The remedies policy and procedure sit alongside our complaints policy and procedure.

2. Scope

This policy and procedure aim to provide guidance which we will follow when assessing remedies to resolve complaints when there have been service failures. We aim to be fair and consistent when considering any complaints and when deciding the appropriate remedy, we will consider each case and take into account the individual needs of the citizen and how they were affected.

This policy applies to services that Camden Council currently provide directly and the procedure can be used for any council service regardless of how it is delivered. A number of services are delivered by our partners or private suppliers. If our partners or private suppliers are asked to respond to a complaint at stage 1, they will also consider any suitable remedies in line with this policy and procedure.

3. Definitions

Low Impact A minor service failure that caused brief inconvenience, but no lasting consequences or distress. Often resolved quickly or with minimal resident effort.

Medium Impact A moderate service failure that caused inconvenience, some emotional distress, or temporary disruption, but did not pose immediate risk to health or safety.

High Impact A serious service failure that causes significant distress, risk to health or safety, prolonged disruption, or financial loss. Typically requires a higher financial remedy or urgent corrective action.

Landlord-Controlled System Heating, hot water, or gas systems maintained and operated centrally by the landlord (Camden Council), for which charges may be applied to tenants.

Tenants' Individual Systems Heating or hot water systems located within a tenant's home and maintained by the Council, but where no direct service charge applies.

Financial Remedy A financial payment made by the council to acknowledge the impact of poor service on a resident, such as inconvenience, distress, or avoidable delay. This does not necessarily relate to out-of-pocket expenses and is separate from reimbursement or direct compensation for costs.

Reimbursement A refund given to the resident to cover verifiable out-of-pocket expenses directly caused by service failure or delays (e.g., transport costs, increased utility bills, temporary solutions). Receipts or suitable evidence must typically be provided to support the claim.

Compensation A discretionary payment awarded to reflect the personal impact on a resident, such as stress or disruption to daily life, even where no financial loss occurred. This recognises the inconvenience or hardship experienced rather than covering actual expenses.

4. Roles and responsibilities

ROLE	RESPONSIBILITY
Investigating Officer	Conducts complaint investigations, identifies service failures, evaluates impact on residents, determines appropriate remedies or compensation, and ensures residents are informed of outcomes.
Service Managers	Ensure complaints and remedies are handled in line with policy guidelines, oversee quality assurance of remedies proposed, and implement procedural improvements to prevent recurrence of failures.

5. Policy statement

5.1 Remedies

If we find that we (including our contractors) are responsible/at fault, suitable remedies may include one or more of the following:

- Recognise and acknowledge what we did wrong.
- A sincere written apology.
- Improve procedures so similar problems do not happen again.

- Once a decision is made in response to the complaint, review it to ensure it effectively addresses the concerns.
- Carry out a social care assessment where relevant.
- Provide a financial remedy where appropriate
- Provide a remedy that is fair and appropriate to the service failure considering the specific merits and circumstances of each case.
- Assess and offer remedies (including compensation) as needed, regardless of whether the customer directly requests them.

5.2 Process

At each stage of a complaint, there will be an investigation carried out by a suitable person. This investigating officer will:

- Identify any issues/faults
- Find out how/why this occurred
- Identify if we caused the fault
- Find out how this affected the citizen
- Consider any appropriate remedies

If the citizen's views about desired outcomes and remedies are not already clear from the complaint, we will contact the citizen to find out what they are seeking. We will then arrive at the appropriate decision on suitable outcomes and remedies by following the Local Government and Social Care Guidelines or Housing Ombudsman guidelines.

When deciding on suitable remedies the investigating officer will consider the following:

- Amount of time the citizen spent trying to resolve the issue.
- Difficulty the citizen experienced trying to resolve the issue.
- Distress to the citizen and/or others.
- Risk of harm to the citizen and/or others.
- Actual harm caused (We will consider if an insurance claim is more appropriate on a case-by-case basis).
- Previous responses sent to the citizen.
- Any other attempts to address the issue.
- Administrative costs such as travel and cost of phone calls.
- The overall impact that a series of events or failures may have had on a customer.
- Any reasonable costs incurred, such as higher energy bills resulting from a failure to complete a repair.
- The duration it has taken us to resolve an issue.

- Assess compensation claims based on the specific circumstances of each case, applying discretion to achieve fair outcomes.

Compensation payments and remedies may be considered when a resident has experienced a service failure on Camden's part, including:

- Loss of essential utilities such as heating, hot water, mains water, or power.
- Inability to fully use parts of their home.
- Failure to meet agreed service standards.
- Improper handling of complaints.
- Failure to provide paid-for services.

In certain situations, the investigating officer will not provide a remedy or compensation, including:

- When the fault lies with a third party or is outside Camden's control.
- If a claim can be made on the resident's insurance (e.g., home contents or building insurance).
- When the incident arises from the resident's own negligence (e.g., not allowing access for necessary repairs).
- Personal injury claims, which will be handled by Camden's insurance team.
- Damage caused by natural disasters or extreme weather conditions.
- Any damage to a resident's fixtures and fittings resulting from Camden's work, where the resident has been warned of the potential impact.
- If the resident has failed to take reasonable steps to mitigate potential damage.
- If a court or tribunal has already ordered payment for the same issue.

The investigating officer will then consider the remedies that are appropriate and proportionate to the fault or failure.

We will not consider:

- Legal fees
- Professional fees
- Remedies that could be settled by insurance claims
- Statutory payments are not covered under this policy

5.3 Financial Remedy Payments

When reviewing a complaint, we evaluate the time, effort, and inconvenience experienced by the individual, and may offer compensation of up to £1,000 based on the specifics of each case.

If appropriate we will issue a financial remedy for the following:

Type	Amount
Missed appointment	£25 per appointment
Failure to provide a service	£25 per month
Distress (Individual circumstances)	£100 - £500 (severe and prolonged up to £1,000)
Time and Trouble	£100 - £400
Delay	£20 per month
Delay in access to education	£200 - £400 per month
Unsuitable accommodation	£100 - £1000 per month
Risk of harm	Up to £1000
Lift failures	£1.50 per day

5.3.1 Missed Appointments

A compensation payment of £25.00 will be issued for each appointment where our operatives or contractors fail to attend the agreed time, or if they arrive more than two hours later than the scheduled time, provided that adequate notice was not given to the resident. This payment will also apply in cases where the work is planned over several days, and the contractor misses any scheduled appointments as part of that sequence.

However, please note that no compensation will be paid for appointments that are cancelled by the resident or rescheduled due to the resident's availability or not providing access. We expect residents to inform us as soon as possible, ideally with at least 48 hours' notice, if they need to cancel or reschedule an appointment to avoid any inconvenience or missed opportunities.

5.4 Failure to Provide a Service

The council compensates residents impacted by service failures, offering £25 per month for service failures. Factors considered include the duration of the issue, the inconvenience caused, and any additional costs incurred by the resident

5.4.1 Distress

Compensation for distress typically ranges from £100 to £500, with severe and prolonged cases potentially warranting up to £1,000.

Distress refers to emotional suffering, inconvenience, or significant discomfort experienced by residents due to Camden's actions or lack of actions.

Common examples of situations that may lead to compensation for distress include:

- Delayed Repairs: Prolonged delays in completing essential repairs, such as addressing damp or mould, leading to health issues and significant inconvenience for residents.
- Lack of Communication: Failure to provide timely updates or responses on reported issues, resulting in frustration and uncertainty for residents.
- Complaint Handling Failures: Delays or mishandling of formal complaints, causing additional stress and frustration for residents.
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Impact Level	Compensation Range	Description
Low Impact	£100 – £250	Minor inconvenience or emotional upset, such as short delays in repairs or minor communication issues.
Medium Impact	£250 – £500	Moderate distress caused by longer delays, inadequate communication, or ongoing issues that affect daily living.
High Impact	£500 – £1,000	Severe distress due to prolonged service failures, including significant delays in repairs or unresolved complaints, causing considerable emotional upset or disruption.

5.5 Time and Trouble

When assessing compensation for time and trouble, we consider factors such as the length of the issue, the resident's efforts to resolve it, any difficulties encountered, and the council's communication. Other factors include responsiveness throughout the process, any missed appointments by contractors or staff without prior notice and the time and effort a resident spends in attempting to resolve issues related to the council's services. Compensation for time and trouble can range from £100 to £400.

Impact Level	Compensation Range	Description
Low Impact	£100 – £200	Minor inconvenience with minimal time or effort required to resolve the issue. May involve short delays or minor communication issues that are quickly corrected.
Medium Impact	£200 – £300	Moderate disruption where the resident makes repeated contact or experiences ongoing delays. May involve missed appointments or inconsistent responses from the council.
High Impact	£300 – £400	Significant inconvenience involving substantial time and effort by the resident to resolve issues. Includes prolonged lack of response, multiple missed appointments, or poor communication over an extended period.

5.5.1 Delay

We offer £20 per month to residents to compensate for the inconvenience and distress caused by delays in completing necessary repairs or services within a reasonable timeframe. This payment aims to acknowledge the impact of the council's failure to meet deadlines and the disruption it causes to residents.

5.6 Delay in Education

The Council provides compensation ranging from £100 to £400 per month for delays in accessing education, particularly in cases involving special educational needs and disabilities (SEND). This compensation is offered to residents who experience prolonged waiting times for educational assessments, services, or support, which can significantly affect a child's learning and well-being.

Impact Level	Monthly Compensation Range	Description
Low Impact	£100 – £200	Minor delays that cause limited disruption to the child's education, such as brief waiting times for assessments or minor service delays.
Medium Impact	£200 – £300	Moderate delays that affect the child's learning progress or access to support, such as delayed provision of specialist services or school placements.
High Impact	£300 – £400	Significant delays that severely disrupt the child's education, such as prolonged waiting for assessments, services, or a suitable school placement.

5.6.1 Unsuitable Accommodation

Compensation ranging from £100 to £1000 per month is offered where residents experience unsuitable accommodation.

Unsuitable accommodation may include various issues, including:

- Disrepair: Failure to maintain the property's structure and essential services, such as plumbing, heating, or electrical systems.
- Pest Infestations: The presence of pests like rodents or insects that the landlord does not adequately address.
- Health and Safety Hazards: Conditions that pose risks to residents' health or safety, including damp, mould, or structural instability.

Impact Level	Monthly Compensation Range	Description
Low Impact	£100 – £250	Minor issues that cause inconvenience but do not significantly affect day-to-day living. These may

		include small areas of damp, minor disrepair, or temporary disruptions to services.
Medium Impact	£250 – £500	Moderate issues that affect comfort, access, or health over a longer period. Examples include recurring leaks, ongoing pest presence, or partial heating failures.
High Impact	£500– £1000	Severe and ongoing issues that seriously impact health, safety, or ability to use the home. These may include widespread mould, structural damage, or complete failure of essential services like heating or electricity.

5.7 Risk of Harm

Compensation for Risk of Harm can range up to £1000, depending on the severity of the issue. This compensation is provided when residents are exposed to conditions that pose a significant risk to their health, safety, or well-being due to the council's actions or failures. This refers to situations where residents face potential injury, health hazards, or significant disruption to their quality of life due to the council's failure to maintain acceptable living conditions or address important safety concerns.

5.7.1 This may include:

- **Fire Safety Failures:** The absence of fire alarms, carbon monoxide detectors, or other safety measures, which could put residents at risk in the event of a fire or gas leak. The failure to carry out fire risk assessments or necessary repairs in a timely manner increases the risk of fire hazards for residents.
- **Damp and Mould:** Long-term exposure to damp and mould can severely impact respiratory health, particularly for vulnerable residents like children and the elderly.
- **Health and Safety Hazards:** Other environmental hazards, such as exposure to harmful chemicals, lack of essential heating, or dangerous conditions that could result in injury or exacerbate existing health conditions.

Impact Level	Compensation Range	Description
Low Impact	£100 – £250	Minor safety concerns or isolated instances of risk that do not result in long-term harm, such as a short delay in fixing a safety issue.
Medium Impact	£250 – £500	Ongoing risks that affect residents' comfort or health over time, such as incomplete fire safety measures or recurring issues with pests.
High Impact	£500 – £1000	Severe and ongoing risks that threaten health or safety, such as significant structural issues, widespread damp, or prolonged fire safety failures.

5.8 Lift Failures

Compensation will **BE** payable for lift failure under the following conditions:

- No access to another lift in the same block.
- Residents living on the 4th floor and above. Residents with mobility issues, regardless of their floor, will receive compensation based on their individual needs.
- If there have been three or more instances of lift failure within a 1-month period, regardless of the duration of each outage.
- Residents will be compensated if the lift is out of service for 3 days in a row, including the first 3 days of the issue.

Compensation will **NOT** be payable for lift failure under the following conditions:

- Compensation will not be paid to residents living on the ground floor of a building.
- Compensation will not be provided if someone becomes trapped in the lift, unless there are exceptional circumstances where the assistance provided is significantly delayed. In these cases, we will carefully consider the situation with consideration and understanding.
- No compensation will be paid if after investigation, the council has investigated and found that lifts have been vandalised. Lift vandalism can include graffiti, damaged buttons, blocking lift doors, and damaged interior fittings.

These are guidelines only and based on the Local Government and Social Care Ombudsman (LGSCO) guidance on remedies.

Authorisation of the level of remuneration will follow the Council's financial scheme of delegation.

5.8.1 The compensation payments will be made directly to a customer's bank account, provided there are no outstanding rent arrears. If a resident has rent arrears or any other debt, the compensation payment will typically be applied to the relevant debt first. However, in exceptional cases, we may consider making a direct payment to the customer. Reimbursement payments will not be used to offset arrears, but compensation payments may be applied to any outstanding arrears.

If the resident is dissatisfied with the Stage 1 decision, they can escalate the matter to a Stage 2 review. This must be requested within 21 days of receiving the Stage 1 decision. The Stage 2 review will be carried out by a senior officer who was not

involved in the previous stages. The resident will be informed in writing of the outcome and any further actions to be taken.

If the resident is still unhappy after the Stage 2 review, they have the right to approach the Housing Ombudsman. The Ombudsman is an independent body that investigates complaints about social housing providers. Residents can contact the Ombudsman at any stage during the complaint process for advice or to lodge a formal complaint.

5.9 Housing Repairs – Heating Refunds and Compensation

When there has been a supply failure of landlord-controlled heating, hot water or bulk gas supply for three consecutive days or more during the heating season (last week of September to the end of May) we will refund our customers. We make refunds based on the gross weekly charge made to the resident for landlord-controlled heating, hot water or gas. The refund is a pro-rata weekly amount (including the first three days).

In addition to a refund, we pay compensation to both tenants and leaseholders when landlord controlled heating or hot water loss is longer than 5 days. We will also pay compensation when loss of bulk gas supply affects heating or hot water supply. We only pay compensation when we have not provided alternatives and we control the hot water/heating or gas supply.

Landlord-Controlled Systems

Failure Type	Compensation (> than 5 days)/per day
loss of both heating and hot water	£3.50
loss of heating only	£2.50
Loss of hot water only	£1.00

The amount payable will be for the total period including the initial 5 days.

Tenants' Individual Systems

Failure Type	Compensation (> than 5 days)/per day
loss of both heating and hot water	£3.80
loss of heating only	£2.50
Loss of hot water only	£1.00

*We do not pay a refund. This is because no charge is applied to tenants with individual systems but it is still our responsibility to repair them.

5.9.1 Timescales

We aim to make any financial remedy payments within 20 working days of receiving valid bank details.

6. Diversity, inclusion, and holistic services

Camden Council emphasises a 'What Matters' approach in its adult social care services, focusing on what is most important to each individual taking into consideration the broader context of the individual's life, including health needs, financial hardship, and social circumstances.

The Council prioritises early intervention and the sharing of relevant information across services to provide timely and effective support. This proactive approach is designed to prevent crises and ensure that residents receive comprehensive care tailored to their unique situations.

Through early intervention, collaborative service delivery, and a focus on individual strengths and circumstances, the council aims to provide fair and effective support to all residents, particularly those facing multiple disadvantages.

7. Review

3 years

This document will be reviewed more frequently if required by changes in legislation, regulation, or the service.

8. Related documents

Local Government and Social Care Ombudsman Guidance on remedies

[Guidance on remedies - Local Government and Social Care Ombudsman](#)

Housing Ombudsman Guidance on compensation

[Compensation - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk/)

[Complaints - Camden Council](#)

Home contents insurance for council tenants

9. Information and version control

9.1. Information

Title	London Borough of Camden Remedies Policy & Procedure Complaints (service failure) Property Management	
Document number	2.2	
Author	Scot Reid Head of Property Customer Services & Engagement	
Responsible officer	Gavin Haynes, Director of Property Management	
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Effective date	01 st of August 2025	

9.2. Version control

This policy and associated documentation replace any other remedies policies and procedures that council services may have held locally

Version	Date	Summary of Changes	Actioned by (role)
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2.2

20 05 2025

Full document review

Head of Service