

When the Ombudsman finds in favour of a complainant following an investigation, she can make recommendations about what redress the Service should award. This factsheet provides information on what redress is and what type of redress the Ombudsman can recommend.

What is redress?

Redress is something that is given to an individual who has been wronged in order to correct that wrong. The purpose of redress is to put a complainant back in the position they would have been in had the wrong not occurred. Redress will not turn back the clock or change what has happened, but it should try to put things right where possible.

Can the Ombudsman grant redress?

No. The Ombudsman does not have the power to grant redress. However, the Ombudsman can make recommendations about what redress the Service should provide if she finds in favour of a complainant following an investigation.

What type of redress can the Ombudsman recommend?

The type of redress the Ombudsman can recommend falls into two broad categories.

1. **Action based.** This is any form of redress that requires a specific and direct action. This can include:
 - Apology
 - Enrolment on a particular training course
 - Reconvening a promotion board
 - Reinstatement or reinstatement of rank
 - Reinvestigation
2. **Financial compensation.** There are two types of financial compensation:
 - Direct compensation. This provides payment to cover a financial loss where the amount can be quantified e.g. payment of an allowance that is owed.
 - Indirect compensation. This aims to compensate a non-monetary loss e.g. for distress or hurt feelings. It is very rarely recommended.

If the Ombudsman recommends financial compensation, will she direct the amount that is to be paid?

No.

If the Ombudsman recommends that direct compensation should be paid, the Service will calculate the amount. As this is compensation to cover a financial loss, the amount is easy to calculate.

The Ombudsman does not routinely recommend indirect compensation. When it is recommended, the Ombudsman might state what factors should be considered when setting the amount of compensation. But she will not direct a specific amount to be paid.

Sometimes, Her Majesty's Treasury will need to approve the amount of compensation to be paid. In these cases, HMT can reject a payment or even reduce the amount of compensation to £0.

Is there anything the Ombudsman can't recommend financial compensation for?

The Ombudsman can't recommend compensation for negligence. Negligence matters fall outside the Ombudsman's jurisdiction and claims should be pursued through the Armed Forces Compensation Scheme or the Civil Courts.

The Ombudsman would also never recommend compensation as a "punishment" or "reward" for any party. The purpose is only ever to correct a wrong.

Why didn't the Ombudsman recommend the redress I asked for on my application form?

The redress the Ombudsman recommends will depend on a lot of factors. But it will always be about what is the most appropriate, and achievable, form of redress in the individual circumstances.

We ask you to tell us what outcome you are looking for on our application forms so that we can understand what you hope the process will achieve. Our investigators will take this into account and will always tell you up front if what you are looking for is something we will not be able to recommend.

For more information on the Office of the Service Complaints Ombudsman visit our website www.scoaf.org.uk

Follow us on Twitter  [@SCOAF_UK](https://twitter.com/SCOAF_UK)

Independence | Impartiality | Integrity