



What to do if you are not satisfied with the service you have received from the Tenancy Deposit Scheme Northern Ireland

The Tenancy Deposit Scheme Northern Ireland (TDS) is committed to providing an excellent service.

However, as in any organisation, things can go wrong. Whether you are a tenant, landlord or agent, you may feel we have not handled matters as we should have done.

We would like to hear from you if you are not satisfied with our service or how we have dealt with a case.

Please tell us of any concerns about what we did. We take all concerns seriously and deal with them promptly, fully and fairly. We try to learn any lessons that will help improve our service.

We will respond to you helpfully and courteously, and we expect all parties to a dispute to deal with us in a similar way.

Our complaints policy is split into two sections:

1. Complaints about our service

If your complaint relates to our service, but not in relation to any adjudication decision, then please read Section 1 of this guide.

2. Complaints to the Independent Complaints Reviewer

If your complaint relates to the way in which your complaint was handled, please read Section 2 of this guide.

1. Complaints about our service

We would like to hear from you if you have complaints about our service to you – for example, if you feel that:

- you have faced unreasonable delay, unprofessional conduct or rudeness from our staff
- we have failed to keep you properly informed

We will respond to complaints about our service within **5 working days** of receiving them.

In the first instance

Does your question relate to the progress of a specific case before we have made an adjudication decision? If so, we will have sent you updates that show the contact details of the person responsible for progress. Please contact them first.

We can resolve most issues at this stage.

If your question does not relate to a specific case, please contact our Customer Contact Centre on 0300 037 3700 who will help or escalate your concern to a TDSNI member of staff, who will make direct contact with you.

If you are still dissatisfied

Please send your complaint to us within 28 calendar days of the problem arising. Please do this by email or letter using the addresses on the back of this leaflet. Putting your complaint in writing will help us understand it better and respond fully.

You can ask someone to help you put your complaint in writing if you wish. If you cannot put your complaint in writing, please let us know why.

When contacting us, please:

- give us your name and contact details;
- tell us whether you are the agent, tenant, or landlord, or are representing the tenant or landlord;
- quote the case reference number and the address and postcode of the tenancy property, if you have these details;
- if you do not have a case reference number, quote the reference number on your Tenancy Deposit Protection Certificate;
- let us know what aspect of the service you are complaining about;
- say how you would like us to put matters right.

We will acknowledge your complaint within **1 working day** and will respond to your concerns within **5 working days** of receiving it. If we cannot respond to all the issues you have raised within **5 working days**, we will write to let you know why and when you can expect a reply.

What will happen if you agree with my complaint?

If we decide our service fell short of our normal standards, we will take action to put matters right

2. Complaints to the Independent Complaints Reviewer

If you remain dissatisfied about the service you have received from TDS, you can escalate your complaint to the external Independent Complaints Reviewer. This person is not a TDSNI staff member but someone who is appointed to take an independent view of complaints and reports annually to the TDSNI Board on their work.

What can the Independent Complaints Reviewer do?

The external Independent Complaints Reviewer can review the handling of investigated complaints about the service you have been given. For example, concerns about communication, timeliness or delays, whether the process has been fair and transparent, and that the issues raised in the complaints process have been properly considered.

Where the Independent Complaints Reviewer considers that a mistake has been made in the handling of a complaint, they can recommend corrective action or the payment of compensation by TDS.

The Independent Complaints Reviewer acts completely independently of any influence from TDS. Once they have made their decision, there is no further appeal available.

The Independent Complaints Reviewer will NOT:

- review a complaint which has not been handled through TDS' published internal complaints process;
- review the merits of an adjudication decision, or review the outcome reached, for example where the complainant disagrees with the award/or the adjudicator's interpretation of the evidence;
- review complaints which do not relate to the service provided by TDS in its dispute resolution and other customer service functions.

The Independent Complaints Reviewer may also decline to accept a referral, or terminate their review of a complaint, if the behaviour of the person making the complaint becomes unacceptable.

TDSNI's policy on unacceptable behaviour by customers can be seen [here](#):

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Asking the Independent Complaints Reviewer to get involved

- You must tell TDSNI in writing that you are dissatisfied with the way in which your complaint has been handled, setting out the specific service issue you are dissatisfied with beyond a disagreement with the adjudicator's decision;
- You must do this within 14 calendar days of TDSNI confirming that it has completed its own internal procedures in relation to your complaint;
- In requesting referral to the Independent Case Reviewer, you will be consenting to TDSNI sharing your personal details, complaint details and case file details with the Independent Complaints Reviewer. Unless already provided, any joint party will be approached by TDSNI for consent.
- If TDSNI does not receive consent from a joint party, where relevant, to share their personal details, complaint details and the case file with the Independent Complaints Reviewer within 5 working days, the request for referral to the Independent Complaints Reviewer will be closed.

What happens next

TDS NI will review your complaint to make sure that the Independent Complaints Reviewer will be able to deal with it. Where this is not the case, TDSNI will advise you within 5 calendar days of receiving your request for referral to the Reviewer.

Upon receipt of the consent of the joint party, where relevant the Independent Complaints Reviewer will consider the information that you have provided. They will also have access to TDSNI' records that are relevant to your complaint.

The Independent Complaints Reviewer will write to you to acknowledge the complaint within 5 working days of receiving it.

Within 14 calendar days of receiving the referral, the Independent Complaints Reviewer will aim to issue a written response to you and to TDSNI, setting out their findings as to whether TDSNI failed to follow the correct process in investigating and responding to your original complaint. The Independent Complaints Reviewer will contact the complainant directly should it not be possible for the Independent Complaints Reviewer to issue such a response within 14 calendar days and provide details as to when a written response will be issued.

Where the Independent Complaints Reviewer considers that a mistake has been made, they may make recommendations to put the matter right. This can include requiring TDSNI to:

- make an apology; and/or take some other corrective action; and/or
- pay appropriate compensation for damage, distress or inconvenience to the person or organisation making the complaint.

The purpose of the Independent Complaints Reviewer's recommendations is to remedy the mistake identified and try to put you in the position you would have been in had things not gone wrong. Recommendations may also be made that relate to TDSNI's operating procedures in order to avoid other similar errors in the future.

There is no appeal against the Independent Complaints Reviewer's written decision.

As a result, the Independent Complaints Reviewer and TDSNI will not engage in further correspondence with complainants after their decision has been sent.

We are committed to dealing with complaints fairly and impartially, and to providing a high standard of customer service. We aim to put things right successfully for our customers where things have gone wrong as a result of our actions.

We will respond to all complaints in a courteous way. However, we will not respond to anyone who is aggressive or rude, or who threatens a member of our staff.

Our website gives full details of TDS Customer Service Standards, and our procedures for dealing with difficult or abusive customers.

If your concerns are about the outcome of an adjudication decision, under the Tenancy Deposit Schemes Regulations (Northern Ireland) 2012, you may within 10 working days of issue, request a review of an adjudication decision on the basis that you are able to demonstrate a clear error in fact or law.