



Compensation Policy

Designation: Corporate Services
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1. Introduction

1.1 Cadwyn Housing Association seeks to provide the high standards of customer service. However, it may be that occasionally these standards are not met and our customers may suffer an inconvenience financial or otherwise.

1.2 The Association would seek to investigate such incidents thoroughly and where deemed applicable, offer appropriate compensation or reimbursement.

2. Definition of Compensation

2.1 Compensation itself can be defined as “Something (monetary or otherwise) given or received as payment or reparation for an unsatisfactory service, loss or injury”. As such compensation is not necessarily acceptance of liability.

3. Policy Statement

3.1 The Association recognises that circumstances may arise where the level of service drops below a reasonable standard, offering compensation demonstrates recognition of the inconvenience suffered and will help to minimise dissatisfaction.

3.2 The Association will seek to handle claims for compensation in a proactive way, reducing the likelihood of legal action.

3.3 We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements that need to be considered when contacting you.

3.4 Each claim will be considered on its merits and the payment of compensation will be at the Association’s discretion. However, compensation will generally be considered where:

- a) Undue worry, distress or inconvenience has been caused by the events
- b) Failure to respond to a complaint within specified timescales
- c) Failure of staff and contractors to take reasonable care
- d) Specific financial losses have been incurred
- e) Where compensation is due under the statutory compensation scheme under the “Right to Repair” (Housing Act 1985)
- f) Where the tenant is entitled to reimbursement of a “service charge” paid where the service paid for has not been provided

3.5 In the case of points a), b), c) and d) above it is expected that claimants will first follow the Association’s formal complaints procedure. If that complaint is upheld then any claim for compensation will automatically be considered.

4. Formal Complaints

4.1 Formal complaints seeking compensation will be referred to the Associations’ Insurers in the first instance. Where the claim falls outside the policy (as decided by the Insurance Company) OR is within the insurance policy excess the claim will be assessed by the Association.

4.2 The Manager responsible for resolving a formal complaint has delegated authority to recommend payment of compensation. The Director of the relevant department is responsible for considering recommendations, and may authorise compensation for formal claims.

5. One-off payments

5.1 The Association accepts that very often someone making a complaint is merely looking for an acknowledgment that a mistake was made and an honest apology will go a long way to resolving any dissatisfaction. The Association wants to encourage its front line staff to identify such cases, and be able to make “We’re Sorry” gestures up to the value of £25, with the approval of their Manager.

6. Loss or Damage to Personal Property or Decoration

6.1 The Association advises tenants and landlords to take out relevant contents insurance. Compensation will only be paid for damage to customer’s furniture, personal property etc in exceptional cases. As compensation is complicated by the issues of fault and liability each case will be considered on its merits. Where there is a different interpretation of facts, an agreement should be reached but the final decision rests with the Association.

6.2 The Association does not accept responsibility for loss or damage to personal possessions, belongings, furniture and fittings unless the Association or its agent has been negligent in the carrying out of, or the failure to carry out, a service. Acceptance by the Association of a claim for the failure to provide a service is not an acceptance of a claim for loss or damage to personal possessions. It is the customer’s responsibility to insure their own personal belongings.

6.3 The Association will accept responsibility for unreasonable damage to a customer’s decoration, loss or damage to personal property not covered by the customer’s own insurance, resulting from action for which it is responsible and where such damage could or should have been avoided.

7. Rent Arrears

7.1 The Association will normally offset any compensation payment against outstanding rent arrears or other debt the claimant may have with the Association. Each case will be considered individually and on its own merits.

8. Third Party Responsibility

8.1 The Association will not normally pay compensation for damage caused by a contractor or other third party organisation employed by the Association. This will be that organisations responsibility and will be covered by that company’s insurance policy. A customer wishing to claim compensation in such circumstances will be advised to make their claim directly to the contractor.

8.2 However, the customer will be asked to forward a copy of their claim / correspondence to the Association which will liaise with the outside agency to try to resolve the claim amicably.

9. Disruption during Building Works

9.1 All properties need repair at some time or other and inevitably some disruption will be encountered. Compensation will only be considered where disruption during building works is particularly severe or where the Association takes a wholly unreasonable time to complete the work.

10. Learning Lessons

10.1 We take all claims for compensation seriously and try to learn from any mistakes we've made by improving the services our customers receive as a result. The number of formal claims received, and any awards paid will be reported to the Directors team.

10.2 Where there is a need for change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it by.

11. What If I Need Help

11.1 Our staff will aim to help you make your claims for compensation known to us. If you do need extra assistance, we will try to put you in touch with someone who can help.

12. Review

12.1 The Association's compensation policy will be reviewed every three years to ensure its on-going relevance.