Compensation Policy

Scope:	Housing Solutions Residents	**Author:**	Complaints Manager/ Assistant Director of Governance & Corporate Compliance
Legislation:	Right to Repair Scheme 1994 Regulation: Housing Act 1996 Right to Compensation for Tenants Improvements Scheme 2001 Land Compensation Act 1973 Equality Act 2010 Data Protection Act 2018 RSH Transparency, Influence & Accountability standard Housing Ombudsman Guidance on Remedies April 2024	**Approved by:**	Board
		Date of approval	10th December 2025
		Date of next review:	10th December 2028
Related Policies:	Complaints & Compliments Policy Repairs & Maintenance Policy Decant Policy Equality, Diversity & Inclusion Policy		

Compensation Policy – What Residents Need to Know

1. Our Commitment to Fairness

1.1 At Housing Solutions, we want to provide the best possible service to our residents. We know that sometimes we may not offer the service we have promised, or things don't go as planned, and this can cause inconvenience or loss. When this happens, we may offer compensation to put things right. The aim is to put residents back into the position they would have been had the service failure not occurred.

2. Who is covered?

2.1 All tenants and leaseholders (referred to as 'residents') are covered by this policy. Each case will be considered individually based on the circumstances.

3. What is the purpose of this policy?

3.1 Our compensation policy sets out how and when we offer compensation. We aim to:

- Be fair and consistent with all residents
- Follow the law and regulations
- Resolve complaints and fix mistakes quickly
- Ensure compensation is proportionate if something has gone wrong

4. Types of Compensation

4.1 We may offer compensation in several ways, including:

- Financial Loss Payments: If you have lost money because we didn't deliver a service as we should have, and you can show proof of the loss.
- Discretionary Compensation: When our service didn't meet our usual standards.
- Recognition Gestures and Payments: Small gestures (like flowers or a gift) to say sorry for a service failure.
- Mandatory Compensation: Payments we must make by law.

4.2 How will compensation be given?

Compensation could be:

- A letter of apology
- A gift or flowers
- Shopping vouchers
- A monetary payment
- A payment towards any arrears on your account

4.3 What does compensation cover?

We might award compensation for things like:

- Delays in repairs
- Missed appointments by our staff or contractors
- Not meeting our service standards
- Damage to your belongings or home
- Temporary loss of heating, water, or other facilities
- Loss of your home

4.4 When is compensation not offered?

We can't offer compensation for:

- Incidents over six months old (unless required by law)
- Legal or tribunal cases
- Matters involving our liability insurance (like personal injury)
- If the service met our standards or wasn't requested
- Problems caused by residents, their family, visitors, or neighbours
- Issues caused by third parties (like utility companies)
- Short-term construction noise or disruption

- Matters not related to Housing Solutions and outside anyone's control (such as severe weather)

You should make a claim under your home contents (for instance to cover damage from a fire, leak or flood) if the cause of the issue was not due to Housing Solutions, or is not within our responsibility.

It's important to have suitable home contents cover in place should something like this happen, so you can make a claim for any damage to your home or belongings.

5. How to claim compensation

If you think you're owed compensation from Housing Solutions, you should make a complaint in line with our Complaints & Compliments Policy. We'll review your complaint and keep you updated.

6. Other important information

- Continue to pay your rent and charges while your complaint is being resolved.
- If you owe rent, any compensation will normally first go towards reducing what you owe.
- We'll also check if our contractors or insurance need to help resolve the issue.

If you have any questions, please contact our Complaints Team. We're here to help you get the right service.

Where a resident's rent account is in arrears, any compensation payments awarded will normally be credited directly to the rent account to reduce the outstanding balance. This approach ensures that financial obligations are prioritised in accordance with our policy and procedures.

7. Roles and Responsibilities

7.1 Detail roles and responsibilities in relation to the policy/procedure

Role	Responsibilities
Board	The Board is responsible for approving and supporting this policy and (with a designated member of the Complaint Scrutiny Panel), for considering the matter of compensation as part of any complaint resolution at Stage 2 of our Complaints and Compliments Policy.
Executive Team	The Executive team are responsible for overseeing and monitoring the implementation and proper application of this policy.
Complaints Team	The Complaints Team is responsible for the management and reporting of compensation payments to the Executive Team.
Managers & Team Leaders	Departmental managers and team leaders are responsible for the proper application of this policy

	when dealing with complaints or when compensation requests are made.
Complaints Coordinator	The Complaints Coordinator is responsible for the co-ordination of complaints and recording compensation payments and data processing.
All employees	All employees need to be aware of this policy and to ensure that any request for compensation is handled promptly, effectively, and in accordance with this policy.
Residents	It is the responsibility of residents to provide honest and accurate information regarding their request for compensation and to supply supporting evidence when reasonably requested. Residents are also expected to maintain home contents insurance and to use this insurance when appropriate. This policy is not intended to replace or serve as a substitute for such insurance coverage.

8. Financial Loss Payments

8.1 Residents may be entitled to financial loss payments in the following circumstances:

- Loss of use of facilities or amenities within Housing Solutions' control
- Additional utility costs being incurred due to using substitute heating and/or dehumidifiers at £5 per day
- Damage to belongings (which is not covered by the resident's own contents insurance)
- Loss, or poor quality, of chargeable services
- Other financial losses as a direct result of a service failure

9. Discretionary Compensation – Gestures and Payments

9.1 Discretionary gestures and payments are considered when practical actions alone do not fully restore a resident to the position they were in before a service failure. These gestures are not always financial; they might be:

- A personal visit to apologise
- Flowers
- A card

10. Mandatory Compensation Payments

10.1 The mandatory compensation payments are:

- Right to Repair: we operate the Right to Repair Scheme which gives tenants the legal right to have certain urgent repairs completed within prescribed timescales. When these timeframes are not adhered to, a tenant may pursue a claim against us which could lead to compensation being paid if proven. The compensation is fixed by legislation at an initial sum of £10, plus £2 for every day thereafter that the repair is not completed, up to a limit of £50.
- Home Improvements: secure and assured tenants may be entitled to claim

recompense if they have carried out qualifying improvement work to their home after 1 April 1994, with express written permission from Housing Solutions. The improvement(s) may be subject to an inspection to ensure it has not deteriorated beyond reasonable wear and tear. Claims can be submitted no sooner than 28 days before, or 14 days after the tenancy comes to an end.

- Home loss: may be paid when an assured tenant or leaseholder has to move permanently from their home to make way for demolition and/or development. This is a flat rate, as set by government, and will only be paid where the resident has been residing in the home for a minimum of 12 months. Further details are provided in our Decant Policy
- Disturbance allowances: may be paid to compensate tenants and leaseholders to cover reasonable costs involved in moving to another property temporarily or permanently due to major repairs or demolition. This is paid in addition to a home loss payment for a permanent move. Further details are provided in our Decant Policy

10.2 These payments are all covered under legislation which sets out clear criteria under which they are paid and the amounts that are payable.

11. Staff Training

11.1 We will carry out suitable induction and refresher training for all staff to ensure they are aware of this policy and our commitment to excellence in service delivery standards. All managers will receive specific training to provide the skills and knowledge to support this policy.

12. Equality, Diversity & Inclusion

12.1 Requests for compensation can be made to anyone in the organisation. In cases where English is not a resident's first or preferred language, we will make every effort to offer appropriate translation to support the resident.

12.2 Where a resident has communication difficulties, such as visual impairment, hearing impairment or literacy challenges, we'll use the best way of communicating with them.

12.3 Housing Solutions recognises the needs of a diverse population and always acts within the scope of its own Equality Diversity & Inclusion Policy and the Equalities Act 2010. Housing Solutions works closely with its partners to ensure we have a clear understanding of our resident community with clear, regularly updated service user profiles. Housing Solutions will record, analyse and monitor information on ethnicity, vulnerability and disability.

13. Confidentiality

13.1 Requests for compensation may be passed to us on behalf of a resident by another person acting on their authority. Personal data will not be disclosed to any third party without the prior written agreement of that resident. We may choose to make contact with the resident to confirm authenticity of the compensation request.

13.2 We will keep all information about compensation matters confidential. We will not pass any information about an individual's request to another person or organisation where we do not have a legal basis to do so.

13.3 Under the Data Protection Act 2018 and UK General Data Protection Regulation (UKGDPR) all personal and sensitive organisational information, however received, is treated as confidential. This includes:

- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or Board member; and
- sensitive organisational information.

13.4 Housing Solutions employees will ensure that they only involve other agencies and share information where there is a legal basis for processing that information.

14. Review & Monitoring

14.1 This policy will be reviewed on a 3-yearly basis or more frequently in response to changes in legislation, regulatory guidance, good practice or changes in other relevant Housing Solutions' policy.

14.2 Our performance in relation to the delivery of the services and activities set out in this policy will be monitored on an ongoing basis through our established reporting mechanisms to the Executive Team, Board and associated committees.

All compensation payments offered under this policy must be in line with the Compensation Guidance which supports this policy.