



Compensation Policy

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Glossary

CBH	Colchester Borough Homes
Operations Committee	Sub committee of CBH Board, responsible for reviewing performance and operational matters
Local Government Ombudsman	The final stage for complaints about councils and some other organisations providing local public services
Housing Ombudsman	The Housing Ombudsman Service is set up by law to look at complaints about the housing organisations that are registered with them.

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1. Introduction & purpose

Financial compensation should be a last resort; we aim to apologise for mistakes made by way of a telephone call or personal visit.

We are committed to providing a high quality service to our customers at all times. We recognise, however, that there are times when services do not meet those high standards and customers are inconvenienced as a result.

We will endeavour to apply a suitable remedy at an early stage when service failures occur. The remedy will demonstrate our commitment to getting things right first time and learning from complaints.

The aims of this policy are to ensure that:

- We provide a consistent, fair and proportionate response to service failures, whilst recognising that each situation needs to be considered on the merits and particular circumstances of the claim
- Practical solutions are explored completely to remedy the situation
- Compensation is properly assessed, monitored and controlled.

2. Policy details

When we receive a request for compensation, the service manager will consider what actions could provide all or part of a suitable remedy.

Remedies can be categorised as:

- A. apology
- B. correction of the defect
- C. financial redress: compensation or refund of costs incurred

Where a service failure has taken place, we will discuss remedies with the customer. We can only pay compensation if we have been at fault. Claims for compensation will be agreed within 10 working days following investigation of the circumstance. If it is necessary to refer the matter to our insurer, claims may take up to 56 days.

Payment in compensation may be considered in the following circumstances:

- we have failed to complete an emergency or urgent (three-day priority) repair on time and the tenant has provided reasonable access – in line with Right to Repair guidance
- we have not attended or have cancelled an appointment without 24 hours' notice, leading to financial loss for the customer
- we have not delivered a service for which customers are expected to pay a service charge
- a tenant is unable to use part of their home because repairs are required or are being completed.

Compensation may also be considered if:

- we have damaged property or possessions
- our actions have caused personal injury
- something we have done or failed to do has resulted in financial loss.

* Our insurers will be required to make an assessment of these cases and they may take longer to investigate.

Where actual or inferred personal injury is an issue, we will not comment or discuss the case with the claimant.

Compensation will not be considered in the following circumstances:

- the fault is caused by a third party or is something Colchester Borough Homes has no control over
- the incident was caused as a result of negligence by the tenant or their failure to comply with the terms of their tenancy
- there is impending legal action against Colchester Borough Homes.

2.1 Authorisation limits

Payment amount	Authorised officer
Up to £100	Service Improvement Officer, Repairs Supervisor, Housing Manager
£100 - £300	Senior Manager
Over £300 up to £1,000	Director
Over £1,000	Chief Executive (Board to be notified of payment)

2.2 Claim process

To make a claim for compensation, the claimant should complete the form online at www.cbhomes.org.uk/compensation or can be requested in by phone on 01206 282514, by email on complaints@cbhomes.org.uk or by post at:

Freepost Colchester Borough Homes

The claimant will be asked to give as much detail as possible including dates and times, names and a description of each event. We can only pay compensation if we have been at fault. In most cases, the customer will be required to demonstrate the loss and value of loss to receive compensation.

Once the application form has been received, we will acknowledge it within five working days. We aim to deal with discretionary payments of compensation within ten working days. However, in some cases a claim may take longer if it requires a lengthy investigation or is to be referred to our insurers. We will let the claimant know if this is the case.

Compensation payments will be sent within four weeks of the date of our reply.

If the claimant has any debts outstanding with Colchester Borough Council, these may be deducted from the compensation payment.

2.3 Apologies and goodwill gestures

If we have made an error or provided unsatisfactory service, we will apologise to the customer. In cases where it is considered appropriate, a goodwill gesture can be made. This will be at the discretion of the service manager and can be made through a voucher payment.

2.4 Right to appeal

If a claimant is dissatisfied with the outcome of a request for compensation, they have the right to make a complaint. This will be dealt with under our complaints policy. Details of this policy can be found at www.cbhomes.org.uk/complaints.

3. Consultation

This policy has been reviewed by the Customer Service Improvement Group, the Property Services Consumer Panel, senior managers, directors and the Operations Committee.

4. References

- HouseMark Complaints Accreditation
- How to Develop your Complaints Process, Chartered Institute of Housing
- Benchmarking with other organisations: Cottsway Housing (March 2013) and Greenfields Housing (2011)

- Remedies Guidance and Good Practice 6, Local Government Ombudsman
- Housing Ombudsman Compensation fact sheet <http://www.housing-ombudsman.org.uk/learning-faqs/factsheets/compensation/#.WLbLGtLyizc>
- Right to Repair Regulations 1994, www.legislation.gov.uk/uksi/1994/133/made.

5. Related documents

- [Complaints policy](#)
- [Repairs policy](#)
- [Rechargeable Repairs policy](#)
- [Repairs Guide](#)
- [Financial inclusion strategy](#)

Document control sheet

Title:	Compensation Policy
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Consultation with stakeholders:	<ul style="list-style-type: none"> • Operations Committee October 2016 • DMT/SMT November 2016
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Document amendment history

Version	Type	Date	Notes
1.0	New policy	March 2014	New policy approved by Operations Committee February 2014. Changes requested by DMT subsequently and circulated to Operations Committee in March 2014: <ul style="list-style-type: none"> • Policy statement added • Appendix A for guidance only • Loss of major amenity does not apply to improvement works • Compensation only payable as a result of CBH failure or mistake • Economic loss fixed at £15
1.1	Minor changes	January 2017	Minor details amended to reflect organisational changes.

Versio n	Type	Date	Notes
			<ul style="list-style-type: none">• Added further glossary terms• Updated CBH contact details• Board approval amount to notification