

COMPENSATION POLICY

INTRODUCTION

Herefordshire Housing aims to ensure that our customers receive a service in which they can have a high level of confidence and satisfaction. It is recognised, however, that there will be occasions where this has not been achieved. As a result our customers can be inconvenienced or experience a loss which may result in us making an apology and/or recompensing them in some way.

It is important that our customers and colleagues are aware of the circumstances when requests for compensation will be considered and when an award of compensation might apply. This policy sets out the Association's approach to compensation and should be read in conjunction with the Compensation Procedure and Complaints Policy and Procedure.

This policy will be subject to an Equality Impact Assessment alongside the Compensation Procedure. Our aim is to ensure our policies and procedures do not create an unfair disadvantage for anyone, directly or indirectly.

POLICY STATEMENT

For the purpose of this policy, compensation can be defined as:

'A without prejudice payment, in acknowledgement of a service failure. The aim of the compensation is to make amends for inconvenience caused and to minimise the level of dissatisfaction that a customer may feel as the result of the service failure.'

This policy covers compensation for service failure and applies to all Herefordshire Housing's customers. This includes residents in rented accommodation, shared ownership and leasehold homes, as well as applicants for housing. It also includes those who reside next to a property owned or managed by the Association and customers who receive or are affected by any service we provide.

We will not consider claims for compensation which are;

- The fault of a third party, such as a utility company, or the fault of the customer
- Beyond our control, for example severe weather.
- Covered by insurance policies.
- Subject to a tribunal or legal proceedings.

There are statutory and contractual rights to compensation, which are highlighted below and where circumstance arise where payments may be payable in relation to these we will refer to the most up to date legal and contractual guidance.

- Right to Repair
- Home loss payments
- Disturbance payments
- Qualifying improvements

IMPLEMENTATION

We will endeavour to take a proactive approach in acknowledging that the service we provide was not up to our expected standard. Where we are aware of a service failure we will make an apology, and we may wish to offer compensation without the customer making a claim.

In other cases where a customer believes they have a claim for compensation, they should be guided in the first instance to the complaints procedure. Where a claim has been made, the key issue to consider is whether there have been any errors, mistakes or actions that have resulted in the customer experiencing any kind of disadvantage or loss.

In considering a customer's claim we undertake:

- To act fairly at all times.
- To look at all claims on the individual merits
- To listen carefully and give due attention to the customer's point of view.
- To respond quickly and politely.
- To respond to all claims within 30 working days.
- To always aim to reach an agreement with which the customer is satisfied.

Payment of compensation will be made promptly once a decision has been reached. Monetary compensation awards can be offset against arrears or other debts owed to the Association, but not if the payment is in respect of loss or damage or if it is in relation to costs unreasonably incurred.

We will publish, as part of the procedure that supports this policy, guidance on compensation payments and options for goodwill gestures to be awarded, if a valid claim of service failure has been identified.

We will ask for signed acceptance of the compensation as full and final settlement, before any payments is made.

All claimants have the right to appeal if they disagree with the outcome of their claim in accordance with the Association's Complaints Policy.

MONITORING AND RESPONSIBILITIES

Our Senior Management Team is responsible for delivering the policy and will be accountable for its implementation and colleague training.

Every colleague has the responsibility to read, understand and implement this policy.

Compensation awards will be recorded by the Complaints Coordinator and this information will be reviewed annually by the Wider Management Team to identify trends, provide additional guidance to ensure the consistency of awards made and identify areas for customer service training and development. This information will then be reported to the Customer Services Committee and the Complaints Working Group.

Approved by:	Customer Services Committee November 2009 Board of Management November 2009
Effective date:	November 2009
Review date:	November 2012
Policy developed by:	Paula Kennedy
Associated Documents:	Compensation Procedure Complaints Policy and Procedure
Date of Equality Impact Assessment	November 2009