



## Compensation Policy

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### POLICY PURPOSE

This Policy provides guidance on compensation.

### Document Control

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Author	Annabelle Barwick
Equality impact assessment date	
Revised/updated	
Version control	
Review required	

### Compensation Policy

We are committed to providing a high quality service, but from time to time, mistakes happen.

Customers can access the complaints, comments and compliments policy to make a complaint. This is available on Derby Homes website [www.derbyhomes.org](http://www.derbyhomes.org)

A complaint is defined as a statement of dissatisfaction with a service for which Derby Homes is responsible. A customer may ask for remedial action to put things right – a remedy.

Remedies for dealing with the complaint at this stage include:

- Making an apology
- Carrying out the service required quickly and efficiently
- Reconsidering a decision which was not taken properly
- A financial remedy (compensation) if the complainant has suffered a clear and definable financial loss or out of pocket expenses

### Compensation

This policy provides for compensation where there is a break down in Derby Homes Service delivery. It is not a replacement for household contents insurance policy. Customers should consider taking out their own household contents insurance policy to cover their home.

This policy applies to tenants of, and applicants for housing by, the Council or Derby Homes.

Compensation is appropriate where an acknowledgement is made that Derby Homes was at fault and the complainant has been disadvantaged financially whether by the cause of their complaint or in pursuing that complaint, which would not have been necessary, had Derby Homes acted appropriately in the first place. Compensation is a means of recognising this loss.

Generally compensation will only be paid if it is concluded that Derby Homes has been negligent or neglectful and where financial disadvantage can be proved. Derby Homes may then compensate so the complainant is returned the position they were in before the event. Compensation is not remedy for the complainant to gain financially. Occasionally in exceptional circumstances a payment in recognition of distress or inconvenience may be made

Compensation payments will be made as a rent account credit. Compensation will be offset against any debt owed by the applicant.

### Discretionary Compensation

If Derby homes are at fault we **may** consider paying compensation if:

- We have failed to deliver a service which is paid for through a service charge
- We have not acted reasonably
- We have damaged personal possessions.

Compensation will **not** be given if:

- A fault was repaired within the target time and to a good standard
- Derby Homes has acted reasonably and complied with its legal and contractual liabilities
- The fault was caused by a third party or Derby Homes had no control over it, for example a water leak from a neighbour
- The loss or damage was the resident's own fault, including failing to report the repair promptly or keep appointments
- Damaged items were removed or replaced before Derby Homes could view them
- Evidence is not provided to justify any claims for out of pocket expenses
- The claim is to compensate for time off work in terms of missed appointments
- For Disrepair cases – these are subject to a separate review and will be handled internally or via insurance

Compensation is not automatic and will not apply where the service failure or mistake has not caused any problems or where it can be easily remedied. The main aim is to replace items or remedy the problem by apologising or agreeing to change the procedure to put things right.

Compensation may be a sum of money, but the amount will be reasonable, justifiable and proportionate and based on personal impact. It will reflect the level of inconvenience, disturbance, stress or annoyance suffered and the extent to which Derby Homes has been directly responsible. It will also take into account the time taken to resolve the problem and any costs incurred.

The table below shows how the value of compensation will be assessed

Level of Impact to Customer	Inconvenience caused	Value of Compensation	Authorisation Level
	Missed appointment	£10	Resources and Coordination Manager
Low	A succession of service failures and / or the problem is not resolved within a reasonable timescale	Up to £100	Relevant Manager or Customer Experience Officer
Medium	Serious or prolonged service failure or loss of facilities resulting in disruption, inconvenience and / or damage	Up to £1000	Contracts Managers/Member of Senior Management Team
High		Over £1000	referred to Housing Ombudsman or Derby Homes Board

The Customer feedback and complaints policy identifies the level of compensations officers can award:

The policy allows for these levels of compensation:

- At the initial complaint investigation stage the Investigating Officer may authorise a payment of up to £100.
- If a payment is required over £100, the Manager to which the complaint relates may authorise up to £1,000, although definitive reasons must be recorded for the payment amount.
- At the appeal stage, compensation must be authorised by the Head of Service of up to £1000.
- Derby Homes will not normally award a compensation figure beyond £1,000, but rather refer the matter to the Derby Homes Board, insurance or to the Ombudsman for a final decision.

How to make a request for Compensation

Use the online form on Derby Homes website

Telephone 01332 888777

Email [ContactUs@derbyhomes.org](mailto:ContactUs@derbyhomes.org)

Email [Housing.complaints@derbyhomes.org](mailto:Housing.complaints@derbyhomes.org)

Write to:

Housing Complaints

Derby Homes

839 London Road

Derby

DE24 8UZ.

