



Compensation Policy

Overview:	This policy sets out the criteria for how the Association deals with compensation claims.
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Eldonian Community Based Housing Association Compensation Policy

1.0 Main Principles

The purpose of this policy is to ensure that Eldonian policies are followed when carrying out the delivery of services to its residents. As part of our commitment to customer care, we will pay compensation in the circumstances explained in this policy. The Association aims to meet the challenging performance targets it has set. However, sometimes the standards are not met, and this could cause inconvenience to residents or even result in financial loss.

Summary of the policy:

- To assist in achieving high standards of customer care.
- To provide a responsive and effective service to residents.
- Consult and engage residents in decisions about service delivery, service standards, monitoring the service and feedback.
- To compensate as necessary when services fall below the standards the association has set.

2.0 Claims of Compensation

Any of the following can claim:

- Tenants
- Leaseholders
- Applicants for housing (missed appointments)
- Representatives acting on behalf of any of the above

Residents claiming compensation still have a legal right to seek redress from Eldonian where this is appropriate. However, residents should always ensure they have a suitable insurance policy to cover their own property and contents.

3.0 Compensation Conditions

Compensation considered when:

- We have not delivered our services as per our policies e.g., repairs are not completed with-in agreed timescales.

- Your home or part of your home can not be used due to a poor repair or lack of repair.
- We have not adhered to tenancy or lease agreements

Any reported fall in standard in the delivery of grounds maintenance and communal cleaning will be dealt with promptly by Eldonian staff in accordance with the agreed service contracts, default charges and determinations. Should the improvement of the service not improve then the association is liable to pay compensation. The relevant contractor will then be recharged for the full charge of the compensation.

The association is not responsible for situations which have been caused by the resident, or non-performance of external agencies which are beyond our control e.g. Scottish Power and united utilities.

4.0 Compensation Awards

The amount of compensation will depend upon what is being are claimed for.

Breakdown or loss of service

Where a service or facility is not being provided e.g., the communal heating has broken down, the service charge policy allows for a refund of the overpaid services at the end of each accounting period.

The property or part of the property cannot be used

If the property is rendered uninhabitable, we will assess if there is a need to pay compensation in exceptional cases whilst the works are being complete.

Where a room cannot be used this would not usually be deemed an issue for the payment of compensation.

Overdue repairs

If emergency and urgent repairs are not completed within the time stated we will pay £10 in compensation, plus £2 per day for each day the repair remains overdue up to a maximum of £50. This money is paid because of poor service and should cover the cost of phone calls to the office. Evidence of any charges incurred should be reviewed before compensation is awarded.

We cannot pay compensation when:

- Contractors cannot get into the property home.

- Contractors cannot obtain spare parts and have kept the resident informed.
- Extra work is required, and the contractor has kept the resident informed.
- The service or facility is unavailable due to severe weather conditions or vandalism. This applies particularly to lifts and door entry systems.
- There is a Possession Order or Suspended Possession Order against the resident.
- There are arrears on the claimants rent account.

Exceptional circumstances

The association acknowledges that the loss of some services may cause considerable inconvenience and distress for residents. In such cases (e.g., breakdown of careline links, or a lift beyond our published response times) the Association will use discretion to decide whether additional compensation may be payable. In such cases, the weekly service charge (per element), or rent may be reimbursed partially or in full for a complete week (Monday-Sunday) that the item has been unavailable.

Failure to keep an appointment

Where there is evidence that an Eldonian employee failed to keep an agreed appointment without giving 24 hours' notice of cancellation, compensation of £10 will be paid. If unforeseen circumstances prevented the appointment from being kept e.g., severe weather conditions, or staff sickness, then compensation is not payable.

5.0 Improvements

If residents make one or more of the following improvements to their home, they may be entitled to compensation when they move. To be eligible, the conditions outlined below must be met:

Assumed notional life of improvement in years

Bath	12
Shower	10
Wash hand basin	12
Toilet	12
Kitchen units and worktops	15
Central Heating	12
Insulation of pipes, water tank or cylinder	10
Loft insulation	20
Cavity wall insulation	20
Double glazing or other external window replacement	20
Draft proofing of external doors and windows	5
Rewiring or the provision of power, lighting /other electrical fittings	15

Any object which improves the security of your home (Boundary walls, fences)	15
External door and burglar alarms	20
Extensions to your home	30
Structural alterations (through lounge)	30

To be eligible the following conditions must be met:

- The resident must have written a request for permission to carry out the improvement before the improvement has taken place.
- If permission is granted, the resident must then submit three estimates from genuine contractors and state reason for selection of a particular contractor.
- The property must be left vacant, and 4 weeks' notice given.
- The improvement is subject to the associations staff inspecting the works to confirm the work is of a suitable standard.
- Proof of payment receipts for installation costs.

Normally, to calculate compensation the initial costs of the work will be depreciated over the assumed notional life of the improvement. For example, if a tenant has spent £1,800 on installing central heating and leaves after six years, then 50% of the cost (£900) will be paid back to the tenant. Any rent owed when you leave your home will be deducted from the compensation payment.

Proposals may be rejected if the improvement is considered:

- Too costly
- Out of keeping with the rest of the property
- Expensive to maintain
- Unsuitable/usable for future residents
- It would make the property difficult to let

The conditions of compensation for improvements may be given to residents at the approval stage, specifically relating to the cost of the improvement and the sustainability of the improvement in a social housing property.

6.0 Other circumstances

There may be other circumstances where Eldonian has caused financial loss or inconvenience and will consider paying compensation. There must be evidence to support a

claim. The Housing Officer will investigate your claim and submit a proposal to the Chief Operating Officer to approve compensation to be paid, if any.

7.0 Claims for Compensation

All complaints are logged, so we would expect the resident to contact us to confirm any complaint, or request for compensation. This can be done in the usual ways, by phone, in writing, in person at any the office, or by e mail. A reference number should be provided to the resident for the complaint. Where financial loss has been suffered, written evidence must be provided (e.g., invoices or quotes). All claims will be dealt with in accordance with our complaints and appeals policy.

8.0 Following a Claim

All claims will be acknowledged as soon as possible. In line with our complaint's procedure, a full reply detailing the Association's decision and the amount of compensation, if any, will be sent to you within ten working days. If you are to receive compensation for the loss of a service or facility, then the amount will be credited to our rent or service charge account. You will receive a cheque for other kinds of compensation.

If your rent account is in arrears, any compensation payment may in certain circumstances first be used to clear this debt. Any remaining sum will be paid to you.

If your claim for compensation is turned down or you are unhappy with the amount offered, then you can appeal through our complaint's procedure. (A copy of the compensation and complaints leaflet can be supplied to the resident if requested).