

Previous Review: March 2008

Date: November 2010

Review Date: November 2013

COMPLAINTS REMEDIES AND COMPENSATION POLICY

1.0 STRATEGIC LINKS

South Lakes Housing Corporate Complaints Procedure.

2.0 OBJECTIVES

This policy describes how we will compensate residents for service failures.

3.0 SCOPE OF POLICY

This policy covers the following situations where compensation may be paid at our discretion:

- Failure of our staff to keep appointments
- Failure to carry out repairs within a set time
- Temporary loss of facilities
- Damage to residents' personal property
- Damage to internal decorations
- Inconvenience
- Reimbursement of costs incurred as a result of our failings
- Disturbance whilst major works are carried out

Compensation may be paid for more than one category

3.1 FAILURE TO KEEP AN APPOINTMENT

Our staff will always aim to be on time and keep you informed if they are delayed. However if a member of our staff fails to keep an appointment on the due date a compensation payment of £10 will be made except where the appointment has been cancelled or re-arranged.

3.2 FAILURE TO CARRY OUT REPAIRS WITHIN A SET TIME

We have set timescales in which we aim to complete repairs. We will confirm these when you contact our Customer Service teams or your Scheme Manager to report a repair.

If we do not carry out a repair in the time given please contact us and we will give you a second completion date for the repair. If the repair is not carried out by the second date, we will pay you £10 followed by £10 for each day you wait for the repair to be done, up to a maximum of £100.

We will not pay compensation for delays in carrying out repairs if:

- you do not allow the contractor into your property
- contractors have to order spare parts and we have told you about this; or
- extra work is needed and we have told you that this is the cause

3.3 TEMPORARY LOSS OF FACILITIES

Loss of use of room or facilities (e.g. heating or hot water)

Where a room cannot be used or a service is lost for 48 hours or more due to an overdue repair or while repair works are being carried out we will pay you compensation at £5 per day up to a maximum of £50.

Complete loss of heating or hot water supply

In addition to any entitlement for compensation for an overdue repair where heating or hot water supply is not available we will compensate for the additional cost of providing temporary heating (September to April only) or hot water after the first 48 hours will also be payable. This will be paid at a daily rate as shown below.

Loss of heating and hot water	£2
Loss of heating only	£1
Loss of hot water only	£1

Where a heating charge is included as part of the weekly rent, compensation will also include a refund of the full heating charge after the first 48 hours loss of service.

3.4 DAMAGE TO RESIDENTS' PERSONAL PROPERTY

We advise all residents to take out contents insurance for their personal possessions to cover incidents that are not our responsibility.

3.5 DAMAGE TO INTERNAL DECORATIONS

You are normally responsible for any redecoration necessary in your home unless there is clear evidence that we have been negligent in carrying out our landlord responsibilities.

We will be responsible for making good any damage to your internal decorations caused during the carrying out of a repair.

Where you agree it is more convenient for you to make good the damage yourself we will offer you redecoration vouchers to cover the cost of materials.

3.6 INCONVENIENCE

Where we have failed to provide the service we should have and this has caused you inconvenience we will apologise. If our failure has caused you serious inconvenience we will consider making a goodwill compensation payment or gift. This would be in addition to any compensation payment made for any of the circumstances listed above. The gift or payment will depend on the circumstances and each case will be considered on its merits.

3.7 REIMBURSEMENT OF COSTS AS A RESULT OF OUR FAILINGS

We may refund you costs you have reasonably incurred because of our failings. You will normally be required to provide evidence of the expenditure you incurred. If you are planning to spend your own money with the expectation of being compensated by us you are strongly advised to check with the Housing Manager to confirm that your claim will be accepted before proceeding. For items over £100 you may be asked to obtain alternative quotes.

3.8 DISTURBANCE WHILST MAJOR WORKS ARE CARRIED OUT

Where South Lakes Housing wishes to undertake major repairs to a property, and the tenant is required to move out temporarily while the work takes place, a Disturbance Payment may be made.

A disturbance payment is intended to ensure that the tenant is no worse off, and no better off than if they had not been obliged to move.

Where tenants choose to move voluntarily, a disturbance payment will not be made.

Disturbance payments will cover the cost of:

- Removals - three quotations will be required
- Disconnection and re-connection of television aerials, telephone, cooker and other plumbed-in appliances
- Soft furnishings - (carpets, curtains and blinds) - payment to meet the cost of alterations or replacement when it is not reasonable to remove and refit.
- Redirection of post
- Storage costs - where a temporary move will not allow certain items to be moved with the tenant

4.0 CLAIMING COMPENSATION

If you wish to claim compensation please ask complete a Compensation Claim Form available from the Business Support unit. If you need help submitting your claim please ask your Housing Officer or Scheme Manager.

4.1 COMPENSATION

We aim to process all claims for compensation within 10 working days of receipt. If we require further information from you or another party e.g. a sub contractor, it may take longer but we will keep you regularly updated as to what is happening with your claim. Once your claim is approved it may take another 10 working days for a cheque to be issued. If your account is in rent arrears, ignoring any overdue Housing Benefit or you owe us money for a rechargeable repair your compensation claim may be credited to your account if you agree. Where it is a claim to a refund of expenditure we will normally pay it direct to you.

4.2 APPEALING OVER COMPENSATION

You can appeal against a rejection of a claim for compensation or the level of compensation offered by following the [Complaints Procedure](#).