



WILLOW TREE

HOUSING PARTNERSHIP

Compensation Policy

Version:	v3
Responsibility for the Policy	Head of Housing and Customer Experience
Date approved by Executive	January 2024
Date approved by Board (if applicable)	April 2024
Date due for review:	April 2027

1. Statement of Intent

Willow Tree Housing Partnership (WTHP) aims to provide residents with a high-quality service. However, we recognise that despite our best efforts, sometimes things go wrong. While we will try to put them right, in some cases the payment of compensation may be appropriate. We will be mindful of the requirements of our insurers when dealing with non-statutory compensation items.

2. Policy Objectives

2.1 Statutory Compensation

Compensation must be paid in certain circumstances such as:

- Under the Right to Compensation for Improvements scheme (which is paid on the termination of a tenancy to cover improvements made by the resident). This is determined by a specific formula within the legislation.
- If we ask a resident to move out of their home permanently, in order to redevelop or sell the property, they will be entitled to a statutory Home Loss Payment. The level of Home Loss payment is set out by statutory instrument each year.
- Residents are entitled to compensation under the Right to Repair scheme for certain repairs which are not completed within WTHP's published response times.
- Following a successful claim for disrepair.

2.2 Discretionary Compensation

An ex-gratia payment may also be made in the following circumstances:

- Where a resident has suffered the loss or damage of personal possessions or decorations due to the action or inaction of WTHP or its contractors.
- Where the resident pays a service charge and WTHP has failed to provide the service for a significant period without providing a reasonable alternative
- Where there has been the loss of facilities, for example heating (from October to April each year) and hot water for a period of more than 2 working days and WTHP fails to provide an alternative.
- Where the tenant has experienced additional costs due to a failure by WTHP for example the use of additional electricity
- Where the resident has remained in occupation during major works to their property.
- Where the resident has had to move from their property because of major works, whether they return or not.
- Where the resident has incurred financial loss as a result of actions by WTHP or its contractors having been provided of proof of any such loss and the circumstances relating to it.
- In the event that a non-resident of WTHP seeks compensation, the matter will generally be referred to the insurers.

Discretionary compensation payments will be made that are deemed proportionate and reasonable. Where there has been a loss or damage to personal possessions the age of the items will be taken into account along with reasonable wear and tear when

a compensatory offer is made.

Where the compensation is to reimburse for a service paid for or items which had to be purchased a receipt or invoice will need to be provided.

2.3 Exclusions

Compensation is not payable when:

- The loss or damage was caused by the routine failure of the buildings structure, fixtures or fittings and WTHP was not negligent in the way that it dealt with the problem.
- The loss or damage was caused by the resident, a member of their household or a visitor to their property and the WTHP recharge policy could then apply
- The loss or damage was caused by a third party, other than one of WTHP's contractors.
- The loss should have been covered by the residents own household insurance.
- The loss is covered by WTHP's own insurance policy, in which case an insurance claim should be made.
- The resident could have taken action to reasonably mitigate or prevent the loss, by for example, putting a bucket under a leak or allowing access to a contractor.
- The claim is the result of extreme weather or other exceptional circumstances where WTHP has taken reasonable steps to provide or restore services or facilities.

2. Performance Standards

- Compensation payments issued over £500 will be approved by the relevant Director
- Compensation payments issued up to £500 will be approved by the Housing Service Operations Lead

3. Reference Documents

External

Current legislation and guidance relevant to rights of compensation

Internal

WTHP Compensation Procedure

WTHP Decant Policy

Recharge Policy

Insurers requirements

When setting policy, the Willow Tree Housing Partnership will ensure a golden thread of best practice runs through all aspects of its operations in respect of equality, diversity and inclusion. It will seek to minimise adverse environmental impacts arising as a consequence of its work. This approach and all policies will be reviewed on their anniversary date or as new guidance or legislation is introduced, whichever occurs sooner.