

# ARUN DISTRICT COUNCIL

## REPORT TO HOUSING & WELLBEING SERVICES COMMITTEE ON 17 MARCH 2022

### PART A: REPORT

<b>SUBJECT:</b>	<b>Housing Compensation Policy</b>
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<b>REPORT AUTHOR:</b>	<b>Karen Novell, Repairs &amp; Maintenance Manager</b>
<b>DATE:</b>	2 February 2022
<b>EXTN:</b>	01903 737940
<b>PORTFOLIO AREA:</b>	Residential Services

#### EXECUTIVE SUMMARY:

This policy details the circumstances in which the Council might pay compensation to a tenant or leaseholder. It covers both mandatory compensation and discretionary compensation.

The aim of the policy is to provide redress to Council tenants and leaseholders where some disadvantage, inconvenience or loss has occurred as a result of service failure. While each case will be considered on its individual merits, this policy aims to promote a consistent approach that is reasonable and fair and treats all residents equally.

#### RECOMMENDATIONS:

It is recommended that the Housing & Wellbeing Committee:

- a) approves the adoption of the Compensation Policy
- b) gives delegated authority to the Group Head of Residential Services to make minor changes to the policy and any amendments necessary to reflect legislative changes

#### 1.0 BACKGROUND

1.1 The Regulator for Social Housing (RSH) places emphasis on effective complaint handling and learning from feedback through the Tenant Involvement and Empowerment Standard. Alongside this, the Housing Ombudsman requires social housing landlords to have a clear policy evidencing how claims for compensation

are managed.

1.2 There are two types of compensation covered by this policy: mandatory compensation that the Council is obliged to pay by law and discretionary compensation which the Council can choose to pay where circumstances warrant.

1.3 Mandatory Compensation covers the following:

- Right to Repair
- Home Improvements
- Home Loss and Disturbance
- Right to Buy

1.4 Discretionary Compensation covers the following:

- Loss of Room or Facility
- Failure of Amenity or Service
- Damage to Decoration or Fixtures
- Failure to follow Housing Landlord Service, Procedure, Policy or Guideline
- Missed appointments

**2.0 PROPOSAL(S):**

2.1 To adopt the Compensation Policy

**3.0 OPTIONS:**

3.1 To adopt the Compensation Policy

3.2 Not to adopt the Policy. This is not considered a feasible option as all social housing landlords are required to have a Compensation Policy in accordance with the Housing Ombudsman's Complaint Handling Code

**4.0 CONSULTATION:**

4.1 Consultation has taken place with the Council's main repairs and maintenance contractors and residents' group.

	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) <ul style="list-style-type: none"><li>• ADC repairs and maintenance contractors</li></ul>	✓	
<b>5.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES:</b>	<b>YES</b>	<b>NO</b>

<b>(Explain in more detail at 6 below)</b>		
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		

<b>6.0 IMPLICATIONS:</b>
6.1 <b>Financial</b> - there are no direct financial implications for the service arising from the policy as compensation payments are factored into existing budgets.
6.2 <b>Legal</b> – The Council must comply with the Housing Ombudsman Complaint Handling Code.
<b>7.0 REASON FOR THE DECISION:</b>
7.1 The Regulator for Social Housing and the Housing Ombudsman require all social housing landlords to have an approach to complaints and compensation that is clear simple and accessible.
<b>8.0 BACKGROUND PAPERS:</b>
8.1 Links to Corporate Complaints Policy – tabled at the Audit & Governance Committee on 22 February 2022
8.2 <a href="#">Housing Ombudsman Complaint Handling Code</a>