

RouPELL Park Residents Management Cooperative Ltd



Policy	Compensation		
Applies to	RPRMC Board	Draft	No
		If 'Yes' date of draft	
Post holder responsible for review	Estate Director	Date approved	September 2015
Approval level	Board	Date for review	September 2017

1. Purpose

- 1.1 This policy deals with making payments for compensation as a result of a failure in the provided by RouPELL Park Resident Management Co-op (RPRMC). This policy should be read in conjunction with the RPRMC complaints policy.
- 1.2 This policy is written to ensure that compensations claims are properly assessed, monitored and controlled and that there is consistency in the way in which payments are assessed.

2. When can compensation be paid?

- 2.1 A resident will be able to claim compensation from RPRMC
 - If there has been any damage to a resident's property due to RPRMC neglect
 - If the staff or contractors have failed to take reasonable care in respect of a resident's possessions and decorations
 - Where the failure to remedy a defect within RPRMC's prescribed time limit has caused hardship or additional cost to the resident.

- 2.2 Before considering a payment consideration should be paid consideration will be made as to whether the complainant suffered a direct loss and if a payment is proportionate to the nature of the complaint. In most cases it is more important to remedy the service failure and to issue an apology.
- 2.3 The investigating officer should not consider compensation where the complaint is:
- subject of current legal action or concern the settlement of court proceedings; or
 - covered by our insurance policy or concern the settlement of an insurance claim; or
 - a personal injury claim – physical or psychological and including claims for slander and libel. The investigating officer should immediately contact the Insurance Team if they receive such a claim.
- 2.4 This policy does not cover any payments due under the right to repair or any other statutory compensation scheme.

3. Managing Claims for Compensation

- 3.1 Compensation claims should be sent in writing to the Community Office stating the basis on which the claim is made, using the RPRMC complaints procedure. The claim will be acknowledged in writing within five working days, stating
- Whether or not the claim is agreed or
 - The reasons for rejection of the claim or
 - How and within what period the claim will be investigated
- 3.2 Decisions of whether to give compensation and the amount must be made by the Estate Director
- 3.3 Where a resident is dissatisfied with the outcome of the claim any appeal will be heard by the Board
- 3.4 If the resident is in arrears of rent or service charge the compensation will be first be credited to the rent or service charge account with only any residual amount being made to the complainant.

4. Levels of compensation

- 4.1 Compensation payments will be made in line with the Housing Ombudsman's compensation scheme unless it can be demonstrated that there was a quantifiable loss incurred by the complainant as a result of the service failure. This may be paid in addition to any compensation payments made in relation to the wider claim.
- 4.2 In relation to the failure of the communal heating and hot water system

- Where heating charge is included in rent and the heating is not available for in excess of 72 hours a refund of appropriate daily for every day or part day over 72 hours.
- Where hot water is charged in the rent and is not available for in excess of 72 hours a refund of appropriate daily for every day or part day over 72 hours. In addition a payment of £2 per day will be made to compensate for the additional cost of using the emersion heater. This will cover the entire period of where the communal hot water has not been available for more than 72 hours.
- In the event of a tenant being assessed as vulnerable alternative heating will be provided. However no compensation payments will be made other than a refund of charges included in the rent.