

## 1.0 Introduction

This policy aims to ensure One Manchester complies with all statutory and regulatory compensation obligations and provides an accountable and fair system. It will compensate customers who have experienced a direct loss or suffered significant inconvenience as a result of an action or a failure to act by the Group or a contractor acting on our behalf.

## 2.0 Purpose

The objective of this policy is to ensure that whilst the Group aims to deliver high service standards, we have a process in place that recognises the inconvenience caused to customers when the service drops below those standards. Such inconvenience can be recompensed by a system of fair and equitable payments within predefined guidelines whilst endeavouring to keep the costs of running a compensation scheme to a minimum. We will ensure value for money in applying the most cost effective outcome for both customers and One Manchester.

## 3.0 Scope

This policy sets out circumstances in which compensation payments to tenants may be made. The term 'tenant' includes all those who occupy a One Manchester property by way of a tenancy agreement or lease, including leaseholders. In exceptional circumstances, it may be appropriate to make a compensation payment to members of the public with whom the Group has no contractual relationship.

## 4.0 The Policy

The guiding principles in our approach to considering compensation payments:

- **Criteria:** claims will be considered if they relate to either of the following circumstances:
  - where the stated standards are not met for services for which One Manchester or a contractor acting on our behalf bears direct responsibility
  - where action or failure to take action by One Manchester employees causes inconvenience, damage, injury or disruption – this would include compensation beyond the limits of insurance cover
- **Claims:** a compensation form must be submitted by the complainant, providing details of the claim and any losses incurred. It is the customer's responsibility to provide necessary evidence to support any claim.
- **Payment:** all payments will be accompanied by a letter noted 'without prejudice' informing the customer that it is in full and final settlement of their claim, and that acceptance of the money demonstrates their acceptance that the claim has been settled. Calculation of amounts due, if not determined by statute, will be based on a fair assessment of the costs incurred. If any money is owed to One Manchester, the compensation payment will be offset against the debt.
- **Statutory compensation:** home loss and disturbance payments will be made in line with statutory requirements. We will also comply with any statutory obligation to pay compensation relating to the Right to Repair.
- **Goodwill gestures:** managers are empowered to make small goodwill gestures such as a bunch of flowers, where errors have clearly been made and an apology is needed – even if compensation is not being claimed. The value should be no more than £30 and must be approved by the relevant Head of Service.
- **Refused claims:** no compensation will be paid in cases where loss or damage is the result of misuse or neglect by tenants or their visitors. Claims will also be rejected that relate to fire, flood

or other accidents outside of One Manchester's control. One Manchester is not responsible for the insurance of customers' contents or personal belongings. The Group supports and promotes the Manchester Tenants Insurance Scheme.

- Complaints: compensation will be considered as part of any complaints investigation in which it is found that either a) specific financial losses have been incurred or that b) a customer has had to live in poor conditions for longer than is reasonable due to the failure of One Manchester.
- One Manchester has in place comprehensive insurance for its properties and public liability insurance. Any claim against either of these policies will be forwarded to our insurer by staff who will not accept liability.
- Customers whose compensation claims are refused have the right to appeal. The appeal will be considered by a Director whose decision is then final.

### 5.0 Method and approach

This policy should be read in conjunction with the compensation form and associated guidance notes.

### 6.0 Responsibility

The Executive Management Team is responsible for ensuring that One Manchester's approach to compensation is appropriate and that any trends are acted upon.

Heads of Service will be responsible for implementation of this policy.

### 7.0 Monitoring, review and evaluation

Performance relating to this policy will detail compensation payments for each service area and the associated service improvements to prevent repeat failures. This will be reported each quarter to Scrutiny panel.

The policy will be reviewed every three years but the frequency may be amended depending on changes to associated policies such as the complaints policy.

### Related documents

Complaints Policy