

## Compensation Policy

<b>Purpose</b>	To set out Eastlight’s approach to handling Compensation requests
<b>Owner</b>	Head of Customer Services
<b>Related documents</b>	Team Member Guide - Compensation Requests Eastlight Complaint and Resolutions Policy
<b>Approved by</b>	Executive Director of Operations Housing Services Director Community Gateway Group
<b>Date approved</b>	February 2021
<b>Review frequency</b>	Three years
<b>Last review</b>	February 2021
<b>Next review</b>	February 2024
<b>Version</b>	V1 Draft
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# Contents

1. Policy statement
2. Scope
3. Principles
4. Definitions
5. Statutory and regulatory requirements
6. Aims and outcomes
  - 6.1 Responsibility of managing Compensation requests
  - 6.9 Timescales
  - 6.11 Offsetting compensation payments
  - 6.13 Compensation approval
  - 6.16 Recovering compensation from third parties
  - 6.17 Failure to agree
  - 6.18 Exclusions
7. Equality and diversity
8. Review
9. Date of policy

## **1. POLICY STATEMENT**

1.1 Eastlight recognises that people have the right to compensation in some circumstances. This document outlines Eastlights' Compensation Policy, providing guidance on when compensation will be offered and setting out the procedure for requesting compensation.

## **2. SCOPE**

2.1 This policy covers definitions, exclusions, process and monitoring for Compensation requests and should be read in conjunction with other relevant policies and procedures published by Eastlight.

## **3. PRINCIPLES**

3.1 Eastlight are committed to be fair, reasonable and consistent in our approach to compensation requests.

## **4. DEFINITIONS**

4.1 Compensation as covered by this policy, are cases where there is evidence of clear financial loss, for which Eastlight is liable.

4.2 Discretionary payments and/or gestures of Goodwill are covered as part of Eastlight's Complaint and Resolutions policy.

## **5. STATUTORY AND REGULATORY REQUIREMENTS**

5.1 Some types of compensation, for example home loss, disturbance allowance and Right to Repair are regulatory requirements and are covered in the relevant Eastlight policies.

## **6. AIMS & OUTCOMES**

### **Responsibility of managing compensation requests**

6.1 All requests for compensation will be co-ordinated and monitored by the Resolutions team.

6.2 The Resolution Team will agree with the customer the details of the request and the outcome sought.

6.3 Compensation requests will be allocated to staff members as appropriate; the customer will be notified in writing of the name of the person dealing with the request.

6.4 Compensation requests will be considered where there is clear evidence of financial loss, which Eastlight are liable for. Where appropriate, the customer may be asked to provide evidence of the loss and the value of the loss to receive compensation.

6.5 All compensation requests will be considered confidential between the person making the request and Eastlight staff and partner organisations (including insurance companies where appropriate)

6.6 Wherever appropriate, corrective and preventative actions will also be identified and allocated to the staff member for completion. Customers will be notified of these actions as part of the compensation outcome.

6.7 All requests for compensation will receive a final reply in writing, whether or not the request is agreed, which explains the reasons why. Where a payment is agreed the letter will detail the amount to be paid and any applicable offsets (see 6.12), together with the payment method and expected date of payment. The customer will be required to sign an acceptance form before any payments are made.

6.8 The acceptance form should be returned within two calendar months of the date of the offer being made, unless there are exceptional circumstances that prevent this.

#### **Timescales for resolution of Compensation requests**

6.9 An acknowledgement of a Compensation request will be issued in writing no later than two working days after a request is received. The acknowledgement will detail a compensation reference number.

6.10 Eastlight will investigate the request and provide a full written response within ten working days of a request being registered. Where we are unable to do so, a revised timescale and dates for progress will be agreed with the customer.

#### **Offsetting compensation Payments**

6.11 If a compensation payment is approved, where there is an outstanding amount owed to Eastlight by the customer, the customer will be advised that any amount owed will be deducted from the compensation payment before it is paid. In exceptional cases of extreme need the offsetting of compensation may be waived at the discretion of a relevant Head of Service.

#### **Compensation Approval**

6.13 Compensation can only be offered once approval has been authorised. Heads of Service may approve recommendations for compensation payments up to a value of £500.

6.14 Approval must be sought from a Director for any recommendation of payment up to £1,000.

6.15 Approval must be sought by an Executive Director for any recommendation of payment over £1,000.

#### **Recovering Compensation from third parties**

6.16 If compensation is offered as a result of actions by a third party (e.g. an Eastlight contractor) Eastlight will attempt to recover the amount involved. The service manager will be responsible to agree the person(s) responsible for recovering the costs. Where third party recovery is sought this should be clearly stated on the any compensation payment recommendation.

## **Failure to agree**

6.17 If a customer is dissatisfied with the outcome of a request for compensation, they have the right to make a further request for resolution under the Complaint and Resolutions policy. This will then be handled in accordance with the Complaint and Resolution policy process and timescales. Any managers involved in the compensation request recommendation will not be allocated any subsequent resolution request for the same case.

## **Exclusions**

6.18 Compensation requests may not be dealt with under this policy where there are reasonable circumstances not to do so. Examples of exclusions which would be considered fair and reasonable:

- Where legal proceedings have been started or are imminent
- Where Insurance claims are outstanding or ongoing
- Where the request relates to an ongoing Resolution request
- Where the issue giving rise to the request occurred more than six months ago
- Matters that have already been considered under the Complaint and Resolutions policy

Where appropriate we will provide a detailed explanation, setting out the reasons why a compensation request may not be considered under this policy.

## **7. PERFORMANCE MONITORING**

7.1 A register of requests for compensation will be maintained at all times. The register will show the information about the person making the request, details of the request and target dates for resolution.

7.2 Preventative actions will be sought from the relevant service area managers to avoid repeat compensation requests. Where an action is identified this will be registered and monitored by the Resolutions Team.

## **8. EQUALITY AND DIVERSITY**

8.1 An Equality Analysis has been completed for this policy.

8.2 There are no specific policy considerations/actions arising from the Equality Analysis and it is not expected that this policy will positively or negatively impact any particular group.

8.3 We make a commitment to enable our customers to request compensation by making reasonable adjustments and providing support to enable customers to do so.

## **9. REVIEW**

9.1 Three years after anniversary date of latest review, or where there are regulatory changes that impact the content of the policy.

## **10. DATE OF POLICY**

February 2021