

**COMMUNITIES, HOMES & REGENERATION
SCRUTINY COMMITTEE
23RD FEBRUARY 2023**

**SUBJECT:
TENANT COMPENSATION POLICY**

Purpose:

The report sets out our approach to when it may be appropriate to compensate a tenant who has suffered loss or inconvenience due to service failure. The policy will guide officers when dealing with council tenants ensuring a consistent approach.

THE SCRUTINY COMMITTEE IS ASKED TO:-

Scrutiny is asked for their views on this policy before it goes through the Council's decision and adoption process

Reasons:

Gives clarity and consistency when compensation is being considered.

CABINET MEMBER PORTFOLIO HOLDER:-

Cllr Linda Davies Evans - Homes and Deputy Leader

Directorate:	Designations:	Tel:/Email addresses:
Communities		01267 228960
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EXECUTIVE SUMMARY

SUBJECT: TENANT COMPENSATION POLICY

1. Purpose

- 1.1. The Ombudsman expects landlords to have a compensation policy which gives guidance on offering compensation. This makes sure that we, as a landlord, are protected when claims are made. The purpose of the report is to ensure consistency and clarity to officers when dealing with situations which may require redress to the tenant.

2. Context

- 2.1. In delivering the CHS+ we are committed to providing a high-quality service to all our tenants and residents. However, there are occasions when we fail to deliver on this commitment and things can go wrong. In most cases we can resolve complaints by:

- Acknowledging when things go wrong
- Providing the service asked for
- Changing the way we do things if they are not right
- Looking again why a decision may have caused unfairness

- 1.1. We understand that individuals may suffer some disadvantage or loss because of our actions, errors, or mistakes. In some cases, compensation may be required if the complainant has suffered loss or inconvenience by our lack of action. The report sets what we can do but also instances when we believe we are not at fault and the matter should be dealt with by our insurers.

2. Recommendation

- 2.1. This is a pre decision report on draft compensation policy. Scrutiny is asked for their views on this policy before it goes through the Council's decision and adoption process.

Footnote:

Under the Renting Homes (Wales) Act 2016, tenants are referred to as contract holders and tenancies are known as Secure Occupational Contracts. The policy applies to those housed in our own stock and who hold an occupation contract. The policy would also apply to those housed in our stock designated as temporary accommodation and therefore would hold a licence or Standard Occupational Contract.

DETAILED REPORT ATTACHED?

YES – Compensation Policy

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Jonathan Morgan

Head of Housing & Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

Policy, Crime & Disorder and Equalities

Equality Impact Assessments are a process which allows organisations to consider relevant evidence to understand the likely or actual effect of policies, practices, and decisions on people with protected characteristics. Equality Impact Assessment has been completed using the integrated assessment tool. The assessment concluded that the policy would have no adverse impact on tenants or protected characteristics groups.

Jessica Harcourt

8.2.23

Legal

The Ombudsman expects Local Authorities to have a compensation policy which provides fair and proportionate redress to tenants (contract-holders) where there are shortcomings in the provision of services. The policy should reduce the risk of complaints and/or court action in relevant matters where the facts are not in dispute.

Alan Evans

26/7/22

Finance

No direct impact as policy is for clarification only.

Steve Williams

27/7/22

**CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE/CONSULTED**

YES

Include any observations here.

Cabinet Member is supportive of the policy

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection