

**CABINET**  
**3<sup>rd</sup> JULY, 2023**

**COMPENSATION POLICY FOR  
CONTRACT HOLDERS (TENANTS)**

**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.

**Recommendations / key decisions required:**

Cabinet is asked to endorse the compensation policy.

**Reasons:**

Gives clarity and consistency when compensation is being considered.

**Cabinet Decision Required** YES – 3<sup>rd</sup> July, 2023

**Council Decision Required** NO

**CABINET MEMBER PORTFOLIO HOLDER:-**

Cllr Linda Davies Evans - Deputy Leader & Homes Portfolio Holder

<b>Directorate:</b>	<b>Designations:</b>	<b>Tel:/Email addresses:</b>
Communities		01267 228960
<b>Name of Head of Service:</b>		JMorgan@carmarthenshire.gov.uk
Jonathan Morgan	Head of Housing & Public Protection	
<b>Report Author:</b>		01267 228930
Les James	Contracts & Service Development Manager	lesjames@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
CABINET  
3<sup>rd</sup> JULY, 2023**

**COMPENSATION POLICY FOR  
CONTRACT HOLDERS (TENANTS)**

**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. 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

2.2. 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.

**3. Recommendation**

- To agree to the compensation policy for Contract Holders (Tenants).

**DETAILED REPORT ATTACHED?**

**YES**

# 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
<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 1. 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. An 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

## 2. 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

## 3. Finance

No direct impact as policy is for clarification only.

Steve Williams 16/5/23

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Morgan

Head of Housing & Public Protection

<b>1. Scrutiny Committee request for pre-determination</b>	YES
<b>Scrutiny Committee</b>	<b>Communities, Homes &amp; Regeneration</b>
<b>Date the report was considered:-</b>	<b>23<sup>rd</sup> February, 2023</b>
<b>Scrutiny Committee Outcome/Recommendations:-</b>  Scrutiny Committee “UNANIMOUSLY RESOLVED that the Tenant Compensation Policy be endorsed and referred to the Cabinet for its consideration”.	

**2. Local Member(s)** Not applicable.

**3. Community / Town Council** Not applicable

**4. Relevant Partners** Not applicable

**5. Staff Side Representatives and other Organisations**

Report has been considered and endorsed by Housing Senior Management Team.

Number of internal stakeholders have been involved in drafting the policy.

**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**