



Committee Approver	<i>Board</i>
Stakeholder Consultation	<i>Executive Team</i>
Date Approved	9 March 2022
Classification	Policy
Title	Compensation Policy
Revision Date	March 2022
Revised by	Director of Finance
Next Revision Date	March 2025
Related Documents	<i>Financial Regulations, Treasury Management Policy , Complaints Handling Procedures</i>
Location of Electronic Copy	<i>Link to F:Live Policies/Corporate</i>

## 1. Viewpoint's Values

Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say 'yes I can and I will';
- Celebrate age, experience and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one";
- Work hard, have fun and laugh;
- Stay courageous, creative and ahead of the game; and
- Work with those that share our values.

These promises shape us. They are a commitment to our residents, staff and suppliers. They are fundamental to every single plan, decision and project we embark on.

Ensuring that we have systems and processes in place to manage risk effectively will support us to deliver those plans, decisions and projects, in accordance with our vision and values.

## 2. Policy Statement

Viewpoint is committed to providing excellent housing, care and support services which are delivered in a way that meets all residents', tenants' and other customers' needs and expectations.

However we know that sometimes things go wrong and our services may fall short of the standards our customers expect. If this happens we will always apologise, put things right as quickly as possible and sometimes pay compensation.

## 3. Aim

Where standards have fallen below those expected by our customers Viewpoint will consider paying compensation.

## 4. Legislation/ Related Policies

Under the Housing (Scotland) Act 2001, Scottish secure tenants and short Scottish secure tenants have the right to have small urgent repairs carried out by their landlord within a given timescale. This is called the Right to Repair scheme.

The Right to Repair scheme applies to all tenants of local authorities, housing associations (including tenants who are members of fully mutual co-operative housing associations), and water and sewerage authorities.

## 5. Scope

Where we fall short of expected standards compensation may be payable to tenants in the following circumstances:

- The Right to Repair
- Compensation for improvements
- Home loss or Disturbance as a result of a need to decant to another property.

These types of Compensation are covered by other policies which are available on request.

Compensation may also be considered:

- Where standards for the delivery of services are not met
- Where the actions or failure to take action by employees or contractors of Viewpoint cause distress, inconvenience, damage, injury or disruption.

Compensation can only be paid to cover loss. It will not be paid simply because something went wrong but may be paid for failure to put it right within a reasonable time frame.

If a contractor is responsible for the loss Viewpoint may pay the compensation and then seek repayment of the compensation from the contractors.

### **When will Compensation not be paid?**

Compensation will not be paid in cases where the loss or damage is the result of misuse or neglect by customers, their family or visitors.

No compensation will be paid in the event of fire, flood or other accident arising in circumstances beyond Viewpoint's control.

### **How much Compensation is payable?**

Viewpoint's staff are empowered to make small goodwill gestures such as a bunch of flowers or vouchers, up to the value of £30 where errors have been made even if compensation is not claimed.

The amount of compensation will depend on the actual loss incurred and will not be payable where the losses are covered by Viewpoint's or the customer's insurance.

Customers are expected to have taken reasonable action to mitigate their losses prior to submitting compensation claims. Viewpoint may require access to the customers' property/room or for them to follow our advice or recommendations on how to lessen the impact of any damage.

### **How to make a claim for Compensation**

Claims for compensation must be made within one month of the loss, damage or injury being incurred. The claim must be in writing but Viewpoint will help claimants make their claim where they have difficulty

doing this.

The claim can be made to any member of Viewpoint staff.

### **How will Compensation be paid?**

Compensation will be paid by cheque, bank transfer or vouchers.

If the claimant owes money to Viewpoint, the compensation will be offset against the debt.

### **What to do if a claim for Compensation is refused**

Customers can appeal against a refusal to pay compensation by contacting the Chief Executive. The Chief Executive will review the decision. The Chief Executive's decision is final.

### **Service Standards**

Viewpoint will acknowledge compensation claims or appeals against compensation claim decisions within 3 working days and give a final determination within one month of receipt of the claim.

Viewpoint will learn from situations in which compensation has been paid and take steps to reduce the risk of the situation arising again.

### **Procedures for Dealing with Claims for Compensation.**

All claims for compensation must be dealt with to comply with the Service Standards.

Any member of staff can recommend the award of a goodwill gesture. The goodwill gesture must be approved by the relevant Leadership Group member.

All claims for compensation must be passed immediately to the relevant Leadership Group member who will investigate the claim and make recommendations about the level of any compensation payable.

The Directors of Housing & Support, Assets, Care or Business Support, in consultation with the Director of Finance, can approve compensation payments up to the value of £250.

The Chief Executive in consultation with the Director of Finance can approve compensation payments up to the value of £500.

All claims above £250 must be approved by the Board.

There is also scope within the Standing Orders for the Chair/Vice Chair and Chief Executive to authorise emergency/unbudgeted expenditure up to a maximum of £100,000 but this would only be used in very limited and exceptional circumstances.

All appeals against compensation decisions must be passed to the Chief Executive on receipt.

All payments must be accompanied by a letter informing the claimant that:

- The payment is made in full and final settlement of their claim
- Acceptance of the compensation award is acceptance that the claim has been settled

All compensation and goodwill gesture claims and decisions must be reported to the Board and monitored in the context of the Complaints Handling Procedures.

## **6. Compliance & Support**

### Board

The role of Viewpoint's Board is to ensure that this policy, as well as any associated policies, are regularly reviewed, as required, or in accordance with the usual cycle of policy review.

The Board will, in fulfilling its function, ensure that it complies as necessary with this policy, and the associated policies, procedures and documentation which support it.

### Executive and Leadership Teams

The role of the Executive and Leadership Teams is responsibility for ensuring that this policy, and the associated policies, procedures and documentation which support it, are implemented within Viewpoint.

The Executive and Leadership Teams shall ensure that data management processes and systems are in place, and that they are operated properly from day-to-day.

The Executive and Leadership Teams shall also ensure that relevant managers and team members familiarise themselves with this policy, and the associated policies, procedures and documentation which support it, as well as undertaking any associated training.

### Staff

All staff are responsible for ensuring that they familiarise themselves with this policy, and the associated policies, procedures and documentation which support it, as well as undertaking any associated training.

All staff shall also ensure that implement data management processes and systems as relevant to their job role, and should escalate any risks or concerns as appropriate.

## **7. Equality Impact Assessment (EIA)**

No potential equalities issues have been identified in relation to the review

of this policy, and consequently an EIA has not been completed.

## **8. Privacy Impact Assessment (PIA)**

No data protection implications have been identified in relation to the review of this policy, and consequently a PIA has not been completed.

## **9. Monitoring & Evaluation**

Ongoing monitoring of compliance with this policy and supporting standards will be undertaken on a regular basis.

This policy will be reviewed every three years. Unscheduled reviews will take place in the event of significant change.