



Compensation Policy

Version 2

Approved by: Executive Team

Approved date: 5 February 2018

1.0 Introduction

1.1 This Policy outlines when we can award compensation to our customers, including:

- Tenants
- Leaseholders
- Shared owners
- People who live close to a property we own or manage.

1.2 The terms 'you' and 'your' in the policy mean our customer. The terms 'we', 'our' and 'us' mean Optivo.

2.0 When we'll pay compensation

2.1 Where we're responsible, we'll consider the following service failures as reasons for compensation:

- Missed appointments by Optivo team members
- Failure to repair
- Quality of repair.

Some of our contractors have their own compensation policy for missed repair appointments. In these cases, they'll compensate you directly instead of us.

2.2 Where we're responsible, we'll also consider the following as reasons for compensation:

- Loss of use of accommodation or facilities
- Loss of any bedroom or living room
- Loss of access to cooking facilities
- Total loss of washing/bathing facilities e.g. baths, showers and sinks
- Total loss of WC where there's no alternative WC
- Loss of amenities e.g. heating and/or hot water between 31 October and 30 April¹

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- ¹ Outside of 31 October and 30 April, if a vulnerable customer experiences a loss of heating we'll consider providing a temporary form of heating and compensation for higher energy costs. Examples of 'vulnerable' customers would be elderly, disability, or households with children up to the age of 5.
 - If we provided an alternative source of heating, you can only claim for higher energy costs, not loss of amenities.

- High water bills due to an internal water leak from the day the leak was reported
- Making good if decorations disturbed due to a repair (this is subject to investigation once the repair has been completed).
- 'Qualifying' home improvements (where you received our written permission before making the improvement) when you end your tenancy
- Higher energy costs if we provided an alternative source of heating or a dehumidifier at any time.

You can find details of compensation payments when we move you to a replacement home in our [Replacement Homes Policy](#).

2.3 This Policy does not include claims which are:

- The fault of a third party (e.g. a utility supplier)
- Covered by customer's own home contents insurance (as outlined in your tenancy agreement)
- Due to customer neglect/lack of action or wilful damage
- Subject to tribunal or legal proceedings (for example resale of leasehold property)
- Insurance claims with Optivo's insurers
- Personal injury claims
- Short term disruption caused by repairs or building works
- Neighbour nuisance
- Stress following any incident or failure of service
- Related to damage for personal items (our Insurers may consider these but this should be covered by your home contents insurance)
- Due to circumstances beyond our control e.g. severe weather
- Due to a temporary or permanent move to a replacement home
- Requests for repair or replacement of fixtures/fittings which are not Optivo's responsibility
- Refunds of rent and/or service charge
- For Internal decoration or any other customer responsibilities detailed in the Tenancy Agreement
- Due to advanced warnings about loss of service or fault where we complete the work within specified timescales
- Disrepair claims (please see disrepair procedure)
- For loss of earnings or annual leave
- Communal repairs.

3.0 Making a claim

- 3.1 You must make a compensation claim within three months of the failure, fault or event. You must keep paying your rent and/or service charge while we process your claim.
- 3.2 Once you contact us to make a compensation claim, you'll need to complete a compensation claim form and provide all relevant information to process your claim.

4.0 How we'll compensate you

4.1 If we fail to carry out our duty, we'll compensate you by one or more of the following:

- Apologising
- Rectifying our mistakes
- Making a goodwill gesture.

4.2 Compensation will not necessarily be financial.

4.3 In considering claims, we'll:

- Investigate and clarify if we're responsible
- Act fairly and consistently
- Assess claims on their individual merits.

4.4 Our Customer Experience Team will investigate and, if appropriate, offer you compensation. Customers do not have an automatic right to compensation.

4.5 If you disagree with the outcome, you can request a review of your claim. This is in line with our [Complaints Resolution Policy](#). We do not escalate a complaint based on a request for increased compensation.

5.0 Discretionary Payment

5.1 In cases where we've taken reasonable steps to resolve any failure in service, we'll consider a discretionary payment. In some cases, we may offer this to recognise distress or inconvenience caused e.g. it may have taken repeated attempts to resolve an issue. Discretionary payments may be cash payments, gift vouchers or items such as flowers. These payments are not admissions of liability.

6.0 Compensation payments

6.1 We will contact you with a decision about your compensation claim within 10 working days of receiving your claim. If your claim has been upheld, we've agreed an amount and you've completed a Full and Final Acceptance Form, we'll make payment within 20 working days either by:

- Paying into your bank account (we need you to provide bank account details and sign a form)
- Crediting your rent and/or service charge account if you owe us money (e.g. rent arrears)
- Gift voucher(s)
- Cheque.

6.2 If you owe us money (e.g. rent or outstanding debt), we'll deduct the amount you owe from any compensation payment and credit any balance to your rent/sub account. This may mean the compensation is used against your debts with us.

7.0 Monitoring and review

- 7.1 We record and monitor all claims for compensation. Senior Management analyse payments monthly and we send an annual report to Optivo Board.
- 7.2 We look at areas of repeated complaints/compensation requests to inform service improvement.
- 7.3 We will review this Policy to address legislative, regulatory, best practice, or operational issues.