



Compensation Policy

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1. Aim and scope of policy

This policy outlines our approach to providing compensation in a fair, consistent and proportionate way and in line with the Housing Ombudsman's remedies guidance. This policy applies to all our customers who have a contractual relationship with us, regardless of tenure.

We do not award compensation through our internal complaints process to any party who is not a VIVID customer.

The aim of the policy is to:

- Establish when we'll award compensation
- Provide consistency and fairness in our approach to compensation
- Ensure compliance with any statutory and regulatory obligations.

All staff need to be aware of this policy. The policy is available to customers.

2. Definitions

For the purpose of this policy there are three types of compensation:

- **Statutory Compensation Payments** are payments predetermined through legislation and regulation
- **Financial Loss Payments** can be made for reasonable out-of-pocket expenses as a direct result of our failure to deliver a service
- **Discretionary Redress** are discretionary gestures or payments made in acknowledgment of the impact of a service failure where practical actions alone don't restore a customer to their position prior to a service failure

3. Policy

As a not-for-profit social landlord, our funds are used to invest in our housing stock and the development of new homes to meet housing need. However, we do recognise that where we fail in our services to customers, as well as ensuring the issue is rectified, an award of compensation may be appropriate.

It enables us to restore a customer's position following a service failure and reimburse

losses covered in this policy, enabling us to maintain positive customer relationships.

Statutory Compensation Payments

Statutory compensation payments are the right to repair, right to compensation for tenants' improvements, and home loss and disturbance allowances which are covered under the Land Compensation Act.

These payments are all covered under legislation which provides clear criteria under which they are paid and the amounts that are payable

Non-Statutory Compensation (Financial Loss and Discretionary Redress) We are

unable to award compensation to a customer where:

- We have not recorded our customer's dissatisfaction either through our formal complaints process or as a service request
- Our service standards have been met or where services had not been requested
- For any incident that happened over twelve months ago, unless the customer has only recently become aware of the situation
- The issue relates to services not provided by us or are outside of our control
- Any issue that is subject to tribunal or legal proceedings
- There is a claim for damage to personal belongings that are ordinarily covered by a home contents insurance policy
- There is a claim for damage to personal belongings or personal injury as a result of alleged negligence by us which are civil legal matters.
- The fault is due to a customer's own action, lack of action or wilful damage (including those of a family member, visitor or neighbour)
- The fault or damage is due to a third-party e.g., a utility supplier
- The issue is short-term nuisance caused by building works
- The impact is due to circumstances beyond our control e.g., severe weather
- There is a request to cover loss of earnings.
- The handover of a new property is delayed by developers unless we have failed to communicate with our customer, or the delays are outside of the contractual agreement we have with the developer.
- Reimbursement is requested for contractor or repair costs without having our prior written permission

In accordance with the terms and conditions of the tenancy agreement or lease, customers are required to maintain rent and/or service charge payments whilst we investigate and process compensation.

Where we award compensation due to failings of a third party in a contractual relationship with us, we will award the compensation without delay and endeavour to recover those costs from the third party.

Compensation will be offset against any debts owed, unless the compensation offered is a

financial loss payment for out-of-pocket expenses. This can be flexed at the discretion of the Head of Service level or above.

To help resolve issues quickly, we may award discretionary compensation prior to a complaint being raised, if the issue or 'service request' can be resolved quickly and simply and our customer is satisfied with the response.

The discretionary amount will be credited to a customer's rent or service charge account, so our customer can pay a reduced value at the next payment due date, as long as there are no arrears on the account. This is only where a formal complaint investigation is not required such as:

- Missed appointments without prior notification (usually 24 hours' notice) - £15
- Failure to call customer back within prescribed timescales £10

The maximum amount that can be awarded for a service failure identified in a 'service request' is £30. We monitor these payments to ensure awards are appropriate and to ensure we continue to listen to and learn from our customers feedback to develop our services.

Financial Loss payments

Customers may be entitled to financial loss payments under the following circumstances:

- Loss of use of facilities and amenities (unless due to planned improvements and agreed with customer)
- Additional utility costs incurred due to using substitute heating and dehumidifiers where we have not repaired the issue within our service standard timescales and the costs are in excess of the normal expected spend
- Other financial losses as a direct result of a service failure (excluding earnings)

We will ask for proof of these losses. Where this is not practical, we may pay an amount in recognition of the fact that the complainant has incurred costs due to our service failure.

Discretionary Redress

Where practical actions alone are not able to restore a customer to their position prior to a service failure, we will consider discretionary compensation. We will consider the severity of the service failure and the impact on the individual customer, dependent on their household circumstances. This will not always be financial and, in many instances, such as:

- A personal contact to apologise
- A letter of apology
- Flowers
- A card
- An additional clean

We may also, on occasion, offer redress by enhancing our service, e.g. repairs or redecoration for areas which would ordinarily be customer responsibility.

Discretionary gestures or payments may be awarded for such things as:

- Failure to follow policy or procedure
- Delays in providing a service or resolving an issue
- Loss of amenity outside of published standard times.

When assessing discretionary payments, we will take into account:

- The number of Service failures (each should be assessed separately)
- The level of inconvenience caused, taking into account personal circumstances
- The nature of the service failure
- The level of distress caused
- The duration of the service failure
- The effort applied in getting the matter resolved

Where a service failure has resulted in extensive decorative damage to the home, we may provide discretionary decoration vouchers to assist with redecoration costs

Complaint handling

Where there is evidence that a complaint has not been handled in accordance with our complaints policy and procedure we will acknowledge and apologise for this. On occasion, we may award compensation. Awards will reflect the seriousness of deviation from the policy and the impact that this has had on the customer in seeking resolution to their issue.

This may include situations like:

- Failure to record an expression of dissatisfaction as a complaint
- failure to escalate a complaint to the next stage of the process when requested
- failing to keep customers updated during the duration of their complaints or delayed complaint response

4. Responsibilities

All staff are responsible for the correct application of this policy and delivery of services to our customers. We will use our discretion, with Head of Service level or above approval, in the implementation of this policy and may at times make a decision outside, but within the spirit, of the policy.

5. Related documents

- Complaints Policy
- Equality and Diversity Policy
- Data Protection Policy
- Compensation Guidance Framework
- Decant Procedure
- Home Loss Payments (Prescribed Amounts) (England) Regulations 2007, 2020, 2022
- Tenant Involvement and Empowerment Standard
- The Housing Act 1996
- Right to Repair Scheme 1994
- Right to Compensation for Tenants Improvements Scheme 2001
- Land Compensation Act 1973
- Data Protection Act 2018
- Equality Act 2010
- Sales Policy
- Housing Ombudsman Scheme and Code
- Housing Ombudsman Compensation Policy
- Housing Ombudsman Guidance on remedies
- Energy Act 2023
- Heat Networks (Market Framework) Regulations 2025
- Energy Ombudsman Scheme

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| Policy Author | Customer Resolution and Service Improvement Manager |
| Policy Owner | Head of Customer Experience |
| Approved by | Directors Group |
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