



Compensation Policy

April 2026



Document Title	Compensation Policy
Version number	V1.0
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Author Title & Issuing Department	Director of Customer Experience
Target Audience	Emh Residents and colleagues responsible for handling complaints and service failure.

Approved By	ELT
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Links to Regulatory Standards – Economic/ Consumer Standards	Involvement and Empowerment Standard, Housing Ombudsman’s Complaint Handling Code
Outcomes for Customers	Residents: clear information about how compensation payments for service failure are calculated
How were tenants, residents and service users involved in the review/development of this document	Scrutiny Panel April 2026
Training Provision	The Director of Customer Experience Director is responsible for cascading the policy to staff who manage complaints and service failure.
Links to the Business Plan	Property Services & Communities: Deliver a positive and effective complaints process and culture
Links to Key Values	<p>Diversity: The circumstances of individual household members will be taken into consideration when we decide compensation payments.</p> <p>Openness: This policy sets out our approach for where compensation for service failure payments may be made.</p> <p>Accountability: The policy sets out the responsibilities of the teams across emh who are involved in administering our approach.</p> <p>Clarity: The policy clarifies the circumstances when payments are discretionary or not; and clarifies the compensation amounts payable and under which circumstances.</p>

Version Control



Version	Revision Date	Author: Job Title	Change Description
V1.1	April 2026	Director of Customer Experience	➤ Policy rewrite in line with Housing Ombudsman guidance Feb 2026



1. Purpose

This policy sets out emh's approach to awarding compensation where residents have experienced loss, detriment, or service failure and where a simple apology is just not enough.

The objectives are to:

- Provide fair, reasonable, and consistent redress.
- Align with the Housing Ombudsman's guidance on compensation and remedies.
- Put residents back in the position they would have been in had the service failure not occurred.
- Learn from failures to improve future service delivery.

2. Scope

This policy applies to:

- All emh tenants, licensees, shared owners, and leaseholders.
- All business areas (repairs, ASB, housing management, tenancy services, customer service, etc.).
- Compensation considered during complaint handling or following Ombudsman determinations.

This policy does **not** replace statutory compensation schemes (e.g., Home Loss, Disturbance Payments, Right to Repair), which apply separately.

Residents are advised to refer to their contents insurance policies for damage to belongings/possessions.

Where damage has been caused directly as a result of the actions or omissions of a landlord or contractor working on its behalf, consideration will be given to reimbursement without the need for the resident to make a claim, in particular, where the facts are not in dispute. emh have liability insurance which covers loss or injury to a customer due to our negligence.

Where personal injury is involved, emh colleagues must refer to our insurers immediately.

Where there is no personal injury but there is doubt as to whether the case is covered by the liability insurance the details of the case should be discussed with the Insurance team. They will in turn refer to the insurers for guidance if necessary.

For residents, with any insurance or potential insurance claim, please, in the first instance, contact complaints@emh.co.uk



3. Principles

emh will:

- Award compensation only where there is clear evidence of maladministration, service failure, or avoidable detriment.
- Apply compensation consistently and transparently.
- Consider each case individually based on evidence, impact, aggravating or mitigating factors.
- Avoid duplicate payments for the same detriment.
- Ensure compensation orders from the Housing Ombudsman are honoured in full.
- Treat compensation payments separately from rent or service charge arrears unless legally justified.
- All compensation payments and goodwill gestures made by emh are to the entire household and not separate individuals living in the property.

4. Types of Compensation

4.1 Quantifiable Financial Loss

Compensation may be paid for **actual, evidenced, unavoidable** financial losses caused directly by emh's action or inaction. This may include:

- Rent overpayments not refunded.
- Costs incurred because emh failed to complete an agreed repair.
- Essential costs a resident would not otherwise have incurred.

Evidence will normally be required in the form of receipts or increases in regular bills.

Interest may be added for losses over £1,000 and delays beyond six months, in line with inflation, as measured by average CPI.

4.2 Unquantifiable Financial Loss

Where a resident has clearly incurred loss but cannot provide evidence, emh may award a reasonable sum recognising:

- Damage to items where receipts are unavailable.
- Minor unavoidable costs caused by service failure.



- Poor complaint handling
- Delays in providing a service, e.g. in undertaking a repair
- Failure to provide a service that has been charged for
- Temporary loss of amenity
- Failure to meet target response times
- Loss of use of part of the property
- Failure to follow policy and procedure
- Unreasonable time taken to resolve a situation

A balance-of-probability test will be used.

4.3 Loss of Use of All or Part of the Home

Where service failure substantially impairs a room's use:

- Compensation will be based on the Housing Ombudsman's percentage model:

Room	% of weekly rent
Living room	20%
Bedroom	20%
Kitchen	30%
Bathroom	30%
Bathroom (if an additional WC exists)	20%

- The maximum award is **100% of weekly rent** for the affected period.
- Compensation will not be treated as a "rent rebate."
- Hallways, gardens, and external areas will not generate rent-based awards but may attract distress awards.

4.4 Specific Service Failure Payments

Aligned to Ombudsman guidelines:

Loss of Heating / Hot Water

- **£15 per day** – complete loss
- **£8 per day** – partial (loss of either heating or hot water)



- No payment where suitable temporary heating is provided, although vouchers for additional heating costs at **£35 per week** will be made if the loss of service is between 1st October and 31st March. Vouchers are issued retrospectively, after the first full week of being without heating. Where vulnerabilities exist, this payment may be authorised outside of this period, on a case by case basis.
- Where room use is impaired, rent-based compensation applies instead as per 4.3.

Loss of Amenities

- **Power £10 per day** – complete loss
- **Power £10 per week** – loss of lighting only
- **Water £10 per day** – complete loss of mains water
- Additional losses (e.g., spoiled food) considered separately.

Missed Appointments

- **£15 per missed appointment**
- Additional compensation where impact is significant (e.g., repeated failures causing loss of holiday entitlement).

Delayed Repairs Completion

- 5 working days past due date **£50**
- 20 working days past due date **£100**
- 40 working days past due date **£180**
- 60 working days or above past due date **£250**

Room decoration

Emh will compensate to re-decorate rooms after works where the original decorations have been affected.

- Substantial **£80 per room** (in the event of any decorations damaged because of negligent works emh will arrange for any required making good works to be carried out at our cost)
- Partial **£40 per room**

Food

- Cost of food additional food while cooking facilities are unavailable - **£15 per adult, £10 per child per day.**

4.5 Distress, Inconvenience, Time and Trouble

Compensation may be awarded where residents experience avoidable detriment, distress, or excessive effort due to emh service failings.

Guideline bands (aligned with Ombudsman):



Level	Impact	Typical Range
Minimal	Short-term inconvenience	Up to £100
Low (Service Failure)	Distress, inconvenience, minor delays	Up to £600
Moderate (Maladministration/Severe Maladministration)	Clear adverse impact	£600+
Significant (Severe Maladministration)	Physical/emotional impact, long duration/serious detriment, repeated failings	£1,000+

Aggravating factors (e.g., disability, children, known vulnerabilities) may increase awards. Mitigating factors (e.g., failure to provide access) may reduce them.

4.6 Complaint Handling Failures

Where complaint handling causes additional detriment, compensation may be awarded as follows:

Level	Typical Range
Minimal impact (Service Failure)	Up to £50
Low impact (Maladministration)	Up to £100
Maladministration / Severe Maladministration	Up to £250

Examples:

- Delayed complaint response
- Failure to address issues
- Repeated chasing required
- Misleading or inaccurate communication

5. When Compensation Will Not Be Paid

Consistent with Ombudsman guidance, emh will not compensate for:

- The basic inconvenience of reporting a repair or raising a complaint.
- Claims for personal injury
- Claims for damage caused by circumstances beyond a landlord's control (e.g. through storm or flooding)
- Problems caused by a third party not working for the landlord



- Legal damages such as negligence or discrimination (handled via courts).
- Routine loss of wages/holiday entitlement for attending repairs.
- Costs incurred without giving emh the opportunity to resolve the issue first.
- Minor inconvenience inherent in property maintenance.
- Claims where a home contents insurance claim is appropriate.

6. Statutory Schemes

Where applicable, emh will process:

- **Home Loss Payments**
- **Disturbance Payments**
- **Right to Repair compensation**

These follow statutory amounts and rules.

7. Consideration of Resident Vulnerabilities

7.1 emh will consider the impact of our service failure on residents who:

- Are disabled
- Have mental health conditions
- Have young children
- Care for dependants with disabilities
- Experience multiple/historical service failures

These factors may appropriately increase compensation.

7.2 Emh will not treat residents less favourably in any circumstances. The needs of the individual will always be considered. We will always have regard to our equality and diversity related policies and values.

7.3 All customers (and their advocates) will have access to this document upon request or from our websites.

7.4 Emh will help if any resident needs support to understand this policy.



8. Offsetting Arrears

Compensation awarded under this policy **will not** be offset against arrears where:

- The arrears are disputed.
- The arrears are part of the complaint.
- The Ombudsman has ordered the compensation.
- Maladministration caused or contributed to the arrears.

Otherwise, emh will offset compensation payments against arrears

9. Other Remedies

Other actions may be taken to remedy a complaint either separately from or in conjunction with an offer of compensation.

These can include practical actions (such as offering to undertake repairs or redecoration which would otherwise be a customer's responsibility) and gestures of goodwill (e.g. vouchers, chocolates, flowers).

Wherever possible a flexible approach will be taken to considering different remedy solutions.

10. Governance, Learning, and Monitoring

- All compensation awards will be recorded.
- The Director of Customer Experience will quarterly review themes.
- Annual reporting will highlight trends, learning, and service improvements.
- Lessons learned will feed into service reviews and staff training.
- Improvements to services / processes made following complaints will be published on our "you said we listened" section of our emh website.

11. Appeals

Residents may request a review of compensation decisions by escalating to the next Stage of our complaints procedure.

If dissatisfied after a Stage 2 response has been issued, they may escalate to the Housing Ombudsman and details on how to do this will be included in the letter.

12. Policy Review

12.1 This policy will be reviewed every three years, or sooner if:



- Ombudsman guidance changes
- Legislation changes
- Regulatory requirements evolve

13. Responsibilities

13.1 This policy will be made available to residents in the following ways.

- via the emh website
- via link in the Annual Report for Residents
- an easy read version is also available

14. Associated Documents

14.1 This policy is to be read in conjunction with the following documents

- Decants Home Loss & Disturbance Policy (emh)
- Complaints Policy (emh)
- Repairs and Maintenance Policy (emh)
- Tenant Involvement and Empowerment Standard (Consumer Regulation)
- Grievance Policy and Procedure (emh group)
- Data Protection Policy (emh group)
- Housing Ombudsman Complaint Handling Code
- Customer Vulnerability Policy