

Local Compensation Protocol

Where a complaint has been determined as maladministration or a justified complaint it may be necessary to make one of the following:

Financial compensation

A financial compensation payment may be appropriate if;

- the authority has taken the appropriate action but this has been delayed which in turn has caused injustice
- there is no practical action which would provide a full and appropriate remedy
- the complainant has sustained financial loss or has suffered distress and anxiety

The authority needs to take into account all the particular facts of the case, when deciding what would be appropriate either a small payment or a token such as; flowers, bottle of wine etc.

Time and trouble payments

- Compensation should be judged in respect of the time a complainant takes and the trouble they incur in making the complaint.
- Compensation should not be made to every complainant, but only where it can be justified that time and trouble and minor costs for the complainant were more than would routinely be required for pursuing a complaint.
- Time and trouble payments normally fall within £50 to £250, the amount should be determined in light of the facts of the case. The upper limit of £250 to be paid at the discretion of the relevant Executive Head of Service in consultation with the Executive Head of Finance.

The following factors should be considered when making a time and trouble payment;

- the passage of time, including response times by the Council
- the amount of time and effort the complainant had to devote
- difficulty experienced by the complainant in dealing with the Council
- the degree of inadequacy in the response of the authority to letters, phone calls and visits



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