

# Managing Agent Policy

<b>Audience:</b>	Customers, Colleagues
<b>Policy Owner:</b>	Executive Director of Customer Experience
<b>Policy Lead:</b>	Director of Neighbourhoods
<b>Approved by:</b>	Senior Leadership Team
<b>Approved date:</b>	November 2025
<b>Next review date:</b>	November 2026

## 1. Context, purpose and scope of the policy

### Context:

Over the past year, we have seen inconsistent service delivery and poor satisfaction levels in homes managed by external Managing Agents. Housing Ombudsman investigations have highlighted failures in communication, accountability and responsiveness, particularly where managing agents have not met expected standards. These findings, alongside regulatory pressure and customer complaints have made it clear that our approach to managing Managing Agents needs to improve.

### Purpose:

This policy ensures customers know who is responsible for managing their home and how to get issues resolved. It sets clear standards for communication, escalation and accountability so problems are dealt with quickly and fairly, helping to build trust and confidence.

### Scope:

This policy is for customers who rent or lease a home from us but where another company (a 'managing agent') is involved in looking after the building or estate. It covers situations such as:

- Homes where we have a headlease or intermediate lease and the freeholder or a Resident Management Company (RMC) has appointed a managing agent.
- Homes we own, but where some services, like grounds maintenance or cleaning of shared areas, are provided by a managing agent appointed by someone else who is responsible for the wider estate.
- Situations where we appoint a managing agent to deliver services on our behalf.

This policy does not apply to homes in retirement or supported living schemes managed by support agencies.

## 2. Definitions

- **Managing agent:** A company appointed to manage a block, estate, or land on behalf of the freeholder, a Resident Management Company, or us. They are responsible for maintaining communal areas and the wider building, including cleaning, gardening, repairs, and general upkeep. This often includes structural elements like roofs, lifts, fire alarms, and CCTV. If there's a communal boiler or heating system and no separate Energy Services Company

(ESCO), the Managing Agent typically oversees day-to-day operation, servicing, and coordination of repairs.

- **ESCO:** An ESCO is a company that manages energy supply and systems on behalf of residents. Services may vary by scheme and are always carried out in line with the lease terms and legal requirements.
- **Freeholder:** The owner of a block and / or estate.
- **Responsible Person:** The company or person with overall responsibility for ensuring compliance and management of a block, estate and / or area of land.
- **Resident Management Company (RMC):** A limited company managed by qualifying leaseholders, responsible for the management and operation of a block, estate, or area of land
- **Right to Manage Company (RTM Co):** A company formed by qualifying leaseholders which allows them to take over the management of their block from the freeholder.
- **Lease:** A form of home ownership where the 'leaseholder' owns a property (i.e. flat, house) but not the land it sits on or surrounding communal areas. The ownership is for a period, for example 99 years or 125 years.
- **Headlease:** A headlease is where we lease a property (or part of it) from the building owner and then grant a tenancy agreement or lease to a customer - including rented homes and shared ownership. This creates a chain of leases, meaning several parties have responsibilities linked to each other. We don't own the building, but we manage your tenancy or lease, provide services, and remain your main point of contact.
- **Statutory Notices:** These are notices for works or service charges which must be served by us or the managing agent to allow a qualifying leaseholder (includes shared owners) to respond to proposals to carry out and charge for works through service charges.

### 3. How this policy supports our strategy

This Managing Agent Policy is a key enabler of our 2023–2028 Corporate Strategy, particularly in our ambition to be a customer pioneer. Successful implementation of the policy will ensure that customers in homes managed by third-party agents receive safe, high-quality and transparent services, regardless of ownership or management structure. By setting clear expectations for agent performance, communication and escalation, the policy strengthens our ability to deliver a consistent and responsive customer experience.

It also supports our goal of fostering pride in homes and places by requiring managing agents to maintain safe, compliant and well-managed communal areas. Through regular inspections and performance monitoring, we will uphold the quality and safety of our homes, contributing to the long-term sustainability and appeal of our communities.

Aligned with our commitment to making it happen, the policy promotes strong governance, financial accountability and value for money. We scrutinise service charges to ensure they are fair and contractually valid, protecting customers from unnecessary costs while maintaining service standards. The policy also supports our use of data and systems to monitor performance and drive improvements.

In line with our Customer Engagement Framework and Customer Influence Strategy, the policy also reinforces our commitment to listening to and acting on customer feedback. It includes clear mechanisms for escalating concerns, sharing updates, and ensuring customers understand who

manages their homes and what services they can expect. The inclusion of customer consultation in the policy's development reflects our approach to co-creation and continuous improvement.

#### 4. Policy principles

We will:

- Act with fairness by ensuring all customers receive equitable treatment, regardless of who manages their home.
- Be transparent in our communication, clearly explaining roles, responsibilities and limitations in service delivery.
- Foster accountability by holding managing agents to the same standards we expect of ourselves.
- Work in partnership with managing agents, freeholders, and customers to resolve issues collaboratively and constructively.
- Prioritise safety and compliance as non-negotiable foundations of service delivery.
- Listen to and value customer feedback as a driver for continuous improvement.

#### 5. Aims and objectives

**Aim:**

To ensure customers in homes where all or some communal services are managed by third-party agents receive safe, consistent and high-quality services that meet Moat's standards.

**Objectives:**

- Improve customer satisfaction by ensuring clear communication about managing agent responsibilities and service standards.
- Strengthen oversight and accountability by regularly monitoring managing agent performance and escalating concerns where necessary.
- Reduce service failures by setting clear expectations and formalising escalation routes for unresolved issues.
- Ensure value for money by reviewing and validating service charges before they are passed on to customers.
- Ensure customers can easily access documents (e.g. insurance, service charge breakdowns) by formalising request and response procedures.
- Support customers in RMC/RTM setups where we hold voting rights by offering guidance and advice, while respecting governance boundaries and promoting collaborative issue resolution.
- Use trends from feedback and complaints to drive service improvements and policy updates.

#### 6. Policy actions

## Improve customer satisfaction through clear communication

We will:

- Introduce The Moat Offer across all services, including for customers in third-party managed buildings. The Moat Offer will help customers understand who we are, what to expect from us, and how we support them, bringing greater clarity and consistency to customer experience.
- Provide all new customers moving into our new developments with a Welcome Pack outlining who manages their building, expected service standards, and clear escalation routes.
- Issue customer information leaflets to customers living in buildings managed by external managing agents.
- Update our website to explain how we work with managing agents, what customers can expect, and how we handle and escalate any concerns.
- Keep customers informed with timely updates on relevant building matters.
- Only share customer personal information with managing agents by consent. In an emergency, personal information may be shared under the lawful basis of vital interest.

## Strengthen oversight and accountability of managing agents

We will:

- Continue carrying out monthly inspections to monitor property standards and ensure any issues are identified and addressed promptly.
- Introduce a risk-based joint inspection schedule with managing agents to encourage collaborative issue resolution. While participation cannot be enforced, we will promote it as best practice.
- Hold performance review meetings with managing agents as needed.
- Escalate concerns via freeholders, RMCs, or RTMs where we are not the appointing party.

## Reduce service failures through structured escalation

We will:

- Implement a formal escalation framework that includes informal engagement, formal written concerns to freeholders or RMCs, use of Managing Agents' complaints processes, and where necessary (and possible) a legal action or tribunal referral. This will ensure issues are addressed promptly and transparently.

## Ensure value for money in service charges

We will:

- Review all managing agent invoices through a structured approval process to ensure costs are reasonable and in line with services provided.
- Compare new budgets against prior year costs, challenge any significant increases and, where agents cannot justify costs, escalate concerns via formal complaints or statutory information requests.

## Promote transparency and access to key documents

We will:

- Request and make available key documents, such as building insurance certificates and fire safety confirmations, where necessary. If managing agents fail to provide these documents, we will escalate the matter to the relevant authority (e.g. the fire service or local authority).
- Create a documented process for requesting compliance documents, confirming whether we are the responsible person. If we are, we will provide the documents within defined timeframes; if not, we will identify who is the responsible person and offer guidance on how to obtain the information, including escalation steps if needed.

### **Support customers in RMC/RTM setups where we hold voting rights**

We will:

- Provide clear guidance on rights and responsibilities under RMC (Residents' Management Company) and RTM (Right to Manage) arrangements.
- Collaborate within our legal remit on RTM matters to support effective governance.
- Promote collaborative working with RMC directors to foster strong resident-led management.
- Uphold resident-led governance by not seeking RMC directorships, thereby avoiding conflicts of interest.

### **Use customer feedback to drive improvement**

We will:

- Carry out quarterly reviews of complaints about managing agents to identify common issues or service gaps. These reviews will help us identify systemic issues and work with agents to make improvements. Feedback from complaints will directly inform these reviews.
- Introduce a short survey for customers living in buildings managed by third-party agents. This will help us gather feedback on key areas like communication, responsiveness, and overall service. We'll invite customers to complete the survey regularly, and their responses will help us assess agent performance and highlight areas for improvement.
- Launch a Managing Agent Monitoring Dashboard to track individual agent performance, response times, and customer satisfaction.

## **7. Monitoring, reporting and review**

We will monitor the effectiveness of this policy through a combination of performance data, customer feedback, and case reviews. Specifically:

We will:

- Track customer satisfaction with services delivered by managing agents through customer surveys and complaints analysis, with results reviewed by the Managing Agent Manager and reported to the Executive Team.
- Monitor the timeliness and outcomes of escalations raised with managing agents, RMCs, and RTM companies, using internal case tracking systems to identify patterns and areas for improvement.
- Review the quality and frequency of estate inspections and managing agent meetings to ensure consistent oversight and follow-through on actions.

This policy will be formally reviewed every 3 years, or sooner if there are significant changes in legislation, regulation, or service delivery. The Director of Neighbourhoods is responsible for leading the review process.

## 8. Equality, diversity and inclusion

This policy will be delivered in line with our Equality, Diversity and Inclusion Policy. An Equality Impact Assessment was completed for this policy and considered as part of the approval process.

## 9. Data protection

This policy will be delivered in line with our Data Protection Policy. A Data Protection Impact Assessment was completed and considered as part of the approval process.

## 10. Related legislation and regulations

- **Landlord and Tenant Act 1985** – Sets out the legal framework for service charges, consultation requirements, and landlord responsibilities in leasehold properties.
- **Landlord and Tenant Act 1987** – Provides leaseholders with rights to information and the ability to apply for the appointment of a new manager where management is unsatisfactory.
- **Commonhold and Leasehold Reform Act 2002** – Introduced the Right to Manage (RTM), allowing leaseholders to take over management responsibilities from the landlord.
- **Companies Act 2006** – Governs the operation of Resident Management Companies (RMCs) and RTM companies, including directors' duties and company governance.
- **Building Safety Act 2022** – Establishes responsibilities for building safety, particularly in higher-risk buildings, and outlines the roles of the Responsible Person and Principal Accountable Person.
- **The RTM Companies (Model Articles) (England) Regulations 2009** – Sets out the constitutional rules for RTM companies.

## 11. Related policies and procedures

- **Complaints Policy** – Supports escalation processes when managing agent performance falls below expected standards, ensuring customers have clear routes to raise concerns.
- **Compensation Policy** – Outlines how customers may be compensated when service failures occur, including those involving managing agents, ensuring fairness and consistency.
- **Service Charge Policy** – Closely linked to how we scrutinise and validate charges passed on by managing agents, ensuring transparency and value for money.
- **Estate Inspections Policy** – Aligns with our commitment to regular inspections of shared spaces managed by third parties.
- **Neighbourhood Management Policy** – Provides the broader framework for how we manage and maintain our communities, including those with third-party involvement.
- **Pet Policy** – Helps manage pet-related issues in communal areas, supporting agents in maintaining shared spaces and resolving nuisance complaints.

- **Repairs and Maintenance Policy** – Sets out how Moat delivers and oversees repairs in homes and communal areas. Supports the Managing Agent Policy by clarifying repair responsibilities, informing escalation routes, and ensuring service standards are upheld in buildings managed by third-party agents.
- **Fire Safety Management Policy** – Relevant where managing agents are responsible for compliance with building safety regulations, and we require assurance of legal obligations being met.
- **Damp and Mould Policy** – Sets out Moat's zero-tolerance approach to damp and mould, including how we investigate and resolve issues inside customers' homes, even in buildings managed by third-party agents. Supports the Managing Agent Policy by ensuring health and safety standards are upheld regardless of ownership or management structure.
- **Equality, Diversity and Inclusion Policy** – Sets out our commitment to being an inclusive organisation that treats everyone with courtesy, empathy, fairness and respect and enables customers and colleagues to thrive.

## 12. Customer engagement

We invited 205 customers (customer advocates and a sample of customers living in homes managed by managing agents) to review the draft policy and share feedback on its clarity and usefulness. Overall, sixteen customers completed the survey, with 88% saying the policy was clear, 94% saying they wouldn't change anything, and 100% supporting Moat's adoption of the policy. This feedback confirmed the policy is accessible and relevant to customers. Several customers also made specific recommendations on how to further improve the clarity of the policy.

Based on this feedback, we made several improvements. We expanded definitions for terms like 'headlease' and 'managing agent' and clarified how quarterly reviews work and how customer input is used. We also committed to issuing leaflets to all customers living in Managing Agent managed buildings. In addition, we ensured language consistency throughout the policy by uniformly using the term 'customer'.

### Document revision history

Date	Changes approved by	Details of changes made