

Freehold Management Policy

1.0	SCOPE
	Purpose
1.1.	This Policy outlines the way that whg manages freehold customers. These customers are owner occupiers of residential properties where whg acts as the management company to cover the provision of a variety of services on the estates in which they are situated. Typical examples of services are the upkeep of play areas, surface water drainage systems and shared accessways.
	Legal and regulatory framework
1.2.	The requirement to make a financial contribution is usually defined in the Transfer deed (TP1 or TR1) when the property is first sold by the developer to the freeholder.
1.3.	The keeping and handling of freeholder data will be in accordance with the Data Protection Act 2018 and the General Data Protection Regulations.
2.0	POLICY STATEMENT
	Annual Service Charges
2.1.	Freeholder estate/service charges will be charged in accordance with the clauses contained within the Transfer deed. whg will always endeavour to recover 100% of the service charges.
2.2.	Appropriate notice will be given to freeholders in the prescribed form. Where there are changes to services provided, or to how they are charged, freeholders will be notified prior to their introduction.
2.3.	Where possible, correspondence relating to service charges will be sent via electronic methods to reduce the impact physical letters have on the environment.
	Payment Terms
2.4.	Payment of estate/service charges is due annually in full.

2.5.	whg will take legal action to secure arrears where appropriate. This could include, but is not limited to, whg applying to court and obtaining a County Court Judgement. This can affect an individual's credit rating and future ability to secure credit. whg aim to ensure that action is value for money and proportionate.
	Disputed Charges
2.6.	Those who pay service charges in England and Wales have a statutory right to challenge unreasonable service charges and the standard of work carried out. This is done through an application to a First-Tier Tribunal. Freeholders do not currently have an equivalent statutory right however if a freeholder reports that a service is not being delivered it will be investigated in full. If the freeholder continues to dispute the charge, then whg's complaints procedure will be followed.
	Nuisance and Anti-Social Behaviour
2.7.	If a freeholder is the victim of nuisance and/or anti-social behaviour (ASB), whg has no requirement to be involved unless the perpetrator is a tenant or leaseholder of whg. Customers should seek advice from the Local Authority, Law Centres and solicitors or the Police.
	Financial Hardship
2.8.	Where there are arrears, freehold customers may be signposted to an organisation that may be able to assist. Although we will not offer in house money and debt advice for freehold customers, we may offer support via the Income Collection Team and work with customers to bring their account up to date.
	Customer Care
2.9.	whg will exercise discretion in the application of this Policy and will take account of the circumstances and vulnerabilities of individual customers. Colleagues will also act with due regard to the whg Equality and Diversity Policy at all times.
3.0	PERFORMANCE MEASURES
3.1.	Levels of debt and trends will be monitored on a monthly basis by the appropriate service lead.
4.0	EQUALITY AND DIVERSITY
4.1	whg understand that some obligations are more difficult for some customers to manage. This Policy ensures we work with our customers to resolve issues, and that we provide appropriate support.

5.0	TRAINING AND DISSEMINATION
5.1.	All customer facing colleagues who deal with freehold accounts are made aware of the requirements of customers' obligations and the potential consequences of breaching any terms. Training and updates will be provided during colleague one to one meetings with their line manager.
6.0	MONITOR AND REVIEW
6.1	This Policy will be monitored by the Director of Housing and reviewed every three years by the Policy Group.
7.0	ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES
7.1	Documents, policies and procedures associated with this Policy are: <ul style="list-style-type: none"> • Customer Complaints Policy • Income Collection Policy • Data Protection Act 2018 • Data Protection Policy • Equality and Diversity Policy • Equality Act 2010

Document author	Service Manager, Acting Senior Income Manager
Document owner	Acting Director of Housing
Legal advice	Legal Services
Consultation	Customer, Director of Housing, Senior Income Manager and Legal Services
Approved by	GEXEC – October 2023
Review Date	October 2026
Corporate Plan aim	Grow and expand our services our reach and our range
Equality Assessment	24/01/2023- completed as part of the Residential and Commercial Property Management Policy consultation
Key changes made	New Policy as a result of the Residential Property Management Policy being split out into tenancy type to make it more specific to this tenure type; Language made clearer following customer consultation on the Residential Property Management Policy.

