

Defects Policy

Policy Owner:	Executive Director: Growth
Policy Lead:	Director of Development and Sales
Approved by:	Senior Leadership Team
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Purpose and scope of the policy

This policy applies to you if you've bought or rent a home from us:

- that's still within its Defects Liability Period (DLP) – a period of time (usually 12 or 24 months) from when a builder / developer hands a newly built home over to us during which the builder / developer is responsible for carrying out any works needed to correct defects, or
- that's still covered by a Building Warranty – This provides insurance cover for structural defects for 10-12 years.

It sets out how our New Homes Customer Care Service will work with you to resolve defects with the builder / developer, which may include proactively seeking alternative methods to correct overdue defects.

A defect is any problem with your home that's due to the builder / developer not meeting contractual standards in workmanship, quality, performance or design. Defects can include structural latent (hidden) defects.

1. How to report any defects in your new home and how we'll put things right

- 1.1 Through our New Homes Customer Care Team, we aim to provide you with an accessible, efficient, and responsive service to assist with resolving any defects that takes into account your individual circumstances and needs. Please report any problems with your new home that you consider to be defects to our New Homes Customer Care Team using the contact details provided to you when you moved in and take reasonable steps to minimise any further damage that might be caused by the defect(s).
- 1.2 If the problem is a 'defect' we (the New Homes Customer Care Team) will liaise with you and the builder / developer who's responsible for resolving the defect(s).
- 1.3 We'll keep in touch with you regarding the defect(s) until they've been resolved – We'll agree the frequency and method of contact with you.
- 1.4 We'll take action to resolve any defect(s) that the builder / developer hasn't resolved by, for example, making a referral to the building warranty provider or appointing an independent contractor to complete the works and recharging the builder / developer.
- 1.5 If you give permission for someone else to speak to us about the defect(s), and for us to speak to them about the defect(s), we will. We can liaise with them about all aspects of resolving the defect(s), including agreeing the appointment and ensuring that the necessary work has been completed.

- 1.6 Wherever possible we'll ensure that any appointments to inspect the defect(s) or carry out works to resolve the defect(s) are arranged for a time that works for you, but this will normally need to be during the 'standard working week' (Monday to Friday 9am to 5pm). In most instances, the builder or their sub-contractors will contact you directly to arrange for the works to be completed.
- 1.7 If you need to change your appointment, please contact us and give as much notice as possible. If you've liaised directly with the contractor to re-arrange the appointment, please let us know.
- 1.8 Please take the time to read the Home User Manual and manufacturers' guides that are provided to you if you can as they contain useful tips on how to best run the installations in your home and troubleshooting guides should these go wrong.

2. Structural Latent Defects

- 2.1 A structural defect affects the main structure of a building (for example, roofs, external walls).
- 2.2 If your home has structural latent (hidden) defects, it might take several months to identify the cause and resolve the defect(s) due to their complexity.
- 2.3 We'll help to coordinate communication between you, us and any other parties involved (for example, the builder / developer and building warranty provider) to resolve the issue – We'll keep in touch with you regarding the defect(s) until they've been resolved. We'll agree the frequency and method of contact with you.
- 2.4 We'll tell you who's responsible for the corrective works (builder / building warranty provider / Moat / Leaseholder).

3. Out of Hours service – Emergency Defects

- 3.1 An emergency defect is a repair that's needed to make safe any defect that puts anyone's health, safety or security at immediate risk, or which affects the structure of a home or building, for example, burst pipes, total loss of electricity.
- 3.2 If you have a defect that requires an emergency repair out of office hours, please contact our Out of Hours Service by calling 0300 323 0011.
- 3.3 We'll give you the contact details for the builder's / developer's own out of hours service if they have one. If not, our contractor will attend within 24 hours to make safe as a minimum.
- 3.4 We'll follow up with you and the builder / developer responsible during the next working day to arrange any follow-on works needed. Please contact us (the New Homes Customer Care Team) if you need any support to get the defect completed.

4. Complaints and Compensation

- 4.1 We'll work to resolve any complaints through our Complaints Policy and our Compensation Policy.

Equality, Diversity, and Inclusion

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

As set out in section 1 of this policy: Through our New Homes Customer Care Team, we aim to provide you with an accessible, efficient and responsive service to resolve any defects that takes into account your individual circumstances and needs. We recognise that, if we fail to do this, the impact may be particularly detrimental to you if you're vulnerable in any way and may create or exacerbate any vulnerabilities. We recognise that there are lots of individual circumstances that can make a person less resilient and more vulnerable at a moment in time, including but not limited to:

- Age
- Disability, short-term illness or long-term illness – including mobility and respiratory issues
- Being blind or partially sighted
- Being deaf or hard of hearing – including Deaf people who communicate using British Sign Language
- Mental ill health including depression and anxiety – including anxiety about the home safety and financial circumstances
- Grief following a bereavement or loss
- Dementia
- Neurodiversity including autism, ADD (Attention Deficit Disorder), ADHD (Attention Deficit Hyperactivity Disorder), dyslexia, dyspraxia, dyscalculia, dysgraphia
- Caring responsibilities – for either other adults or children, including babies (particularly if premature) and young children, including disabled adults / children
- Being out of work or experiencing financial distress
- Low literacy or English not being first language
- Experiencing domestic abuse, hate incidents including hate crime or discrimination

We're committed to being flexible and agile, recognising, adjusting and responding to customers' individual circumstances and to evolving our New Homes Customer Care service to better meet the needs of 'vulnerable' customers.

Data protection

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

Related legislation and regulations

- The Housing Acts 1985 and 1996
- The Landlord and Tenant Act 1985
- Health and Safety at Work Act 1974
- Construction (Design and Management) Regulations 2015 (CDM 2015)
- Data Protection Act 2018
- Equality Act 2010

Related policies and procedures

- Code of Conduct
- Compensation Policy
- Complaints Policy
- Damp and Mould Policy
- Electrical Safety Policy
- Fire Safety Management Policy
- Gas and Heating Management Policy
- Health and Safety Management Policy
- Hoarding Policy
- Legionella Management Policy
- Recharge Policy
- Repairs and Maintenance Policy
- Safeguarding Adults at Risk Policy
- Safeguarding Children Policy
- Service Charge Policy
- Temporary Moves Policy

Customer engagement

Your views are central to making sure our New Homes Customer Care service meets your needs, now and in the future. We'll actively seek your views at every stage of our service design and delivery, including:

- as part of our performance monitoring of our builders/developers when resolving defects or structural latent defects
- when procuring warranty providers for your new build homes
- asking you to tell us about the quality of our New Homes Customer Care service, including through SMS satisfaction questionnaires and telephone surveys.
- helping us to set our service standards.

On 21 February 2024, we contacted our Customer Advocates to invite them to comment on the draft Defects Policy by completing a survey. The survey, which closed on 1 March 2024, asked the following questions, and invited them to provide comments:

- Did you find the policy clear and easy to understand?
- We are keen to remove jargon and buzzwords wherever possible. Were there any words, phrases, or sections that you feel we should change to ensure it is plain English?
- Thinking more generally about this policy, is there anything you would change?
- Would you support Moat's adoption of this policy?

One change was made to the draft policy based the feedback, comments or suggestions provided through the survey – The feedback related mainly to the need to deliver the defects service in accordance with the policy.

Document Revision History (Record of any changes made to the policy)

Date	Changes approved by	Details of changes made
11 October 2024	Executive Director of Customer Experience	Reference to 'Decant Policy' changed to 'Temporary Moves Policy'