

**Formality and Informality and the Generation of
Occupational Performance: a case study on the commercial
service charge**

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Introduction

This is a conceptual paper that hypothesises on the shifting nature of occupational process and performance utilising the concepts of formality and informality to examine the case of commercial property lease management. Using historiography, it interprets the way in which the tasks that form the work involved in service charge management have evolved through regulatory action - and inaction - by a professional body that owns an incomplete jurisdictional control of the occupation in general and its practitioners specifically. It offers formalisation as the lens through which to study this evolutionary change and as a method of understanding how change management is carried forward.

Formalisation of procedures is frequently represented as the rational application of a professionalisation process through standardising individual occupational practices by the development of 'best' practice. This can be contrasted with an informality that is derived through ad hoc and value judgements made by individuals based upon their experience, technical understanding and professional expertise. In this study, the narrative presents itself also as a pragmatic response to economic and legislative drivers. Faced with poor performance, so the argument goes, tenants will adopt service charge management quality as one determinant of their decision on who to lease with, but will also agitate for external regulation/ legislation to improve national standards. Both aspects are drivers for change. Legislative regulation would be potentially onerous and expensive, of course. And, in a competitive market, tenants will choose 'well managed' properties over 'badly managed' ones, will pay a premium for this and create better business relations with landlords. The adoption of formal procedures will evidence this 'well managed' characteristic of their property leasing service, perhaps, ultimately, leading to a certification scheme. So, formalisation improves standards, raises profits, and offsets the resulting higher prices (fees) through transparency and improved quality of service received by clients (tenants in this case).

As will be developed below, the service charge profession has not traditionally provided a 'good service', and, whilst not always articulated in this paradigm, it is informality in process that is blamed for tardy and low quality service. The response has been standardisation of lease management through a clear, transparent best practice 'handbook' – a formal template for what to do and how to do it – that was expected to generate improved practice. Within the duality discussed here, formalisation of service charge management away from informal heuristics engenders improved performance. This is the principle argument for those who fought to develop such a code of practice within service charge management, and those who wrote it.

However, as will be shown throughout this paper, standards have not risen markedly in this case study with the adoption of formality, which raises interesting questions

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3 concerning formalising occupational practice as a means of improvement. This forms
4 the second aspect of the analysis, because formalisation itself becomes a result –
5 rather than improved quality that was the original intention.
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9 **The case study**

11 The subject under investigation here is commercial property management, and
12 specifically service charge management. A service charge is the mechanism by
13 which property owners reclaim from occupiers all or part of the expenditure incurred
14 in maintaining the common areas of a building where it is in multiple occupation.
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17 As buildings become more complex and expectations change, issues concerning
18 what ‘maintaining’ might include have become more contentious (see, for example,
19 Noor and Pitt 2009). However, such nuances do not affect the principle of what is
20 being examined here: fees for doing general work that needs to be shared out
21 amongst building occupiers. Importantly, a service charge can only be levied where
22 a lease allows for this. This makes it specific to particular legal jurisdictions and,
23 therefore, the work is based on UK practice and applies only to this. However, work
24 is now being done elsewhere under different legal systems (for example, Halvitigala
25 2018, on New Zealand), and it might prove possible to broaden the application over
26 time. The study also applies only to commercial property. Residential service
27 charges in the UK are statutorily regulated and of a very different character. The
28 rationale for the difference in approach has been questioned, given that a typical
29 response to poor occupational practice (endemic as will be discussed later) is often
30 state regulation. The residential sector might provide another, contrasting, case
31 study on the formal-informal arrangements of occupational tasks since state
32 regulation generates at least some degree of formality. Interestingly, whilst state
33 regulation of residential service charge management has been deemed broadly
34 successful by many, the UK government is currently consulting on further regulation
35 of leasehold tenure (see, for example, Law Commission 2020, Mustoe 2021).
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41 The service charge is a classic area of opposing interests. The landlord seeks to
42 recover all expenditure from the tenant (Edward and Krendel 2007); the tenant
43 expects the landlord to cover these and will look to minimise payment only to those
44 items expressly recoverable in the lease (Noor and Pitt 2009).
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47 Commercial lease management and service charge administration offers a
48 particularly interesting perspective on the generation of formality within organisations
49 and occupations, hence its selection. There are a constellation of co-operating and
50 contrasting characteristics that render the study illustrative. These include its lack of
51 professional regulation and occupational demarcation (in effect, anyone can do it),
52 low fees for businesses and low pay for managers, its historic poor performance,
53 political disinterest in improving standards and the economically irrational approach
54 of the tenant to what can be large operating costs. These issues will be developed
55 more fully as they arise within the paper below.
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58 Property management is a quasi-professional occupation, in that many of its
59 occupants are members of a professional association (Royal Institution of Chartered
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3 Surveyors, RICS), while others are members of NAEA Propertymark, which
4 describes itself as a “membership body” (NAEA Propertymark 2021). Still others are
5 members of occupier-focussed organisations, such as the Property Managers
6 Association, and then there are business-member institutions, most notably the
7 British Property Federation. And yet, there is no statutory requirement on those
8 carrying out the work to belong to any of these, to work to any of the standards or
9 guidance that they set, or for any minimum educational or professional standard.
10 This means that those undertaking the tasks hold education qualifications or not, are
11 members of professional associations or not, are self-regulated or not. Additionally,
12 in order to establish objective performance measures, this study focuses upon the
13 financial side of the work (charging for work, accounting for monies due and paid),
14 tasks that might be regarded as within the remit of the accountancy profession.
15 However, accountants show little interest in either the work itself or how it is done.
16 Hence, non-accountants have devised ‘un-accounting’ approaches to what is an
17 accounting function (Eccles 2021).
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23 In operating in the commercial property field, there is an expectation of ‘intelligent’
24 clients and consumers, of standardised procedures within (at least) each large
25 organisation that rents property because of the number of repeat clients that are
26 national and international in scale: many businesses rent a lot of property. This
27 would lead one to expect the monitoring of performance standards and the
28 benchmarking of running costs, and for commercial decisions to be affected by the
29 quality of the service. Well-managed buildings would be cheaper to run, transparent
30 costs are easier to police, profitability is a key boardroom focus. Unfortunately, a lot
31 of property is rented by SMEs that do not have this expertise and are reluctant to buy
32 it in since it is not a core business function. To these businesses, real estate is
33 merely a factor of production; it is not regarded as a driver of ideas, profits,
34 production or any other core business function. So, space is taken and running costs
35 are paid without recourse to advice (see, for example, RICS 2013).
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40 Then, there is a legal document, the tenancy agreement, which has evolved through
41 decades of modern business practice. It is honed by legal precedent, it is intended to
42 set out very clearly the rights and obligations of all parties, and it is signed on the
43 basis of legal advice as to its suitability. Hence, one might expect that professional
44 standards, case law, best practice and the diffusion of norms would generate a
45 certain formality and quality of practice in the writing of leases. In fact, there are
46 certain ideal type standard forms (see, for example, BPF undated and Joint Working
47 Group on Commercial Leases 2007). However, this seems not to be the case, with a
48 remarkable degree of variability within contracts (Holt and Eccles 2019). In
49 examining *Criterion Buildings Ltd v Mckinsey and Company Inc. United Kingdom and*
50 *another* [2021] EWHC 216 (Ch), Andrews (2021) shows how leases are often
51 unclear because they are not intended to be ‘practice handbooks’, but also how the
52 legal burden of proof is always on the tenant to prove unreasonableness. Again, the
53 SME sector is particularly problematic because of its resistance to seeking legal
54 advice – especially for start-up companies – due to the perceived considerable
55 expense that they cannot (will not) afford; this despite professional attempts to offer
56 free advice (Joint Working Group on Commercial Leases 2007, RICS 2013).
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3 A further characteristic of the organisation of the occupation, profitability on lease
4 management is low. It is of low status within professional gestalt: students do not
5 seek to become property managers, but fall into it. The result is that there is a weak
6 commercial drive to get the service right and little professional interest in developing
7 new ideas; it is not 'cool'. Changing perceptions and working practices would require
8 active change management by the profession. It is here that the research model
9 begins to generate an interesting dichotomy for creating formality leads to increased
10 costs to overheads and, potentially, makes those in the regulated part of the market
11 less competitive. So, professionals oppose 'improvements' as they feel that tenants
12 select on price and not quality, and they are afraid of falling margins and/ or lost
13 business. Arguments that 'intelligent' clients focus on value do not reflect their
14 experiences. RICS has argued for a decade that "anecdotal" evidence from their
15 members is that no change is required (RICS 2009, 2010).
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20 Finally, there is no statutory regulation of commercial service charges, and, until
21 recently, no mandatory professional regulation. Instead, there has been a series of
22 voluntary codes of practice for almost two decades. Whilst not required practice, it is
23 expected practice and non-compliance would be seen as a source of negligent
24 behaviour should legal proceedings occur (RICS 2011, 2014). So, there is a
25 defensive behavioural response driver to follow it. Intriguingly, as will be developed
26 later, after twenty years of voluntary codes, a mandatory 'Practice Statement' has in
27 fact been introduced (RICS 2018).
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31 As its starting premise, the paper refers to the generally and consistently poor levels
32 of practice and there is a large literature evidencing this (see, for example, Eccles
33 and Holt 2009, Eccles, Holt and Zatolokina 2011, Property Industry Alliance 2012,
34 Holt 2015, Property Solutions 2017, Eccles 2021). Given these characteristics the
35 informality – formality paradigm offers an interesting narrative on occupational
36 change, and will be utilised in the following analysis.
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41 **The Literature on Formality and Informality**

42 Where this paper breaks with traditional perspectives is in its focus on the formal and
43 the informal as useful concepts in themselves to study the issue of occupational
44 standards and change. The existing literature on formality and informality primarily
45 regards it as nothing more than a characteristic within a wider conception of the
46 evolutionary changes taking place in the workplace. Furthermore, these studies
47 cross disciplinary and cultural boundaries, thereby attributing multiple meanings to
48 the two across contexts, but without ever allowing them to become the focus of study
49 in itself. The terminology is well used in economics (the informal economy) and
50 urban studies (concerning informal settlements) in the context of recording/ reporting
51 and legality/ permissibility regimes. Perhaps the closest to a definitive conception of
52 the duality, Misztal (2015) suggests the liberalisation of the 1960s led to an age of
53 informalisation, which has now been reversed by digitalisation.
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58 The closest equivalence to the idea as will be developed in this paper is perhaps
59 within the field of accounting, which is a similar profession. However, here it is less of
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3 the process of the work itself (the core of this paper) and more about the way in
4 which numbers give reality and meaning to what they are describing. Meyer (1986)
5 hypothesises that rationality generates formality in that a key role of accounts
6 becomes to legitimise businesses, validate their existence, confirm their status and
7 explain their decisions. This can be both externally, but also internally validate
8 management action to employees. Businesses are given a reality by the construction
9 of their accounting data. So, for example, Kaufman and Covaleski (2019) examine
10 the role of the formal budget in resolving internal disagreement. In fact, there is a
11 wide literature on how both formal and informal communication systems and social
12 hierarchies interact in achieving outcomes and maintaining cohesion (Miszta 2015).
13 For example, Koster (2019) discusses the system of favours, the role of community
14 leaders and the official procedures mix and match to generate outcomes within
15 Brazil's cities. In many ways, this mirrors the work of Kaufman and Covaleski (2019)
16 in that it considers how people explain, discuss and agree, albeit in a very different
17 context and within the polar opposite approach (formal budgets). There is also
18 nuance over how 'informal' an informal channel of communication or a role might be;
19 Misztal argues against clear definition, but suggests that views on informality are a
20 product of a time and a culture (Misztal 2015). To the state, a gang leader has no
21 status and yet within the gang they are clearly hierarchical superiors. Kynaston
22 (2009) also suggests informal capacities are tagged onto the formal role (or used to
23 be, here in the UK) where, say, a bus conductor or park keeper would have a role in
24 keeping social order and preventing petty acts of vandalism. However, these
25 perspectives do not concern the core aspect of governance, but are examining the
26 practical realities of what happens when people meet, talk and want things done.
27 There is a decoupling of what should happen (the formal) and what actually 'works'
28 (the informal) but this does not – in itself - meaningfully generate a shift in what
29 ought to happen (the formal).
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37 There are many discourses on the professionalisation of work within the sociology of
38 the professions (see, for example, Abbott (1991, 1988, 1986, 1981), Larson (1977),
39 Freidson (Brint 1993)). Many of these infer formalisation as a by-product of the
40 transformation of a plain occupation into a profession, but do not regard the formal-
41 informal duality itself as a characteristic of occupational performance. The core issue
42 for profession is that of difference, the distinction between the 'professional' and the
43 'charlatan'. This involves generating such a distinction and getting it recognised (by
44 the state and/ or clients). And whilst professional services themselves can be
45 nebulous, this divide has to be visible (ie formal). Rational consumers can distinguish
46 between the quality of widgets in a way that they find it difficult in, say, dentistry (or
47 service charge performance). So, formality might be seen as a tool of wider forces
48 but it is not seen as interesting in itself. And to be a professional might be seen as
49 requiring a formality as well; professionals are, perhaps, less engaged with
50 competence than of certification. RICS members should evidence a university
51 degree to validate knowledge, for example. Some also see professions as a defined
52 checklist of characteristics and can thereby also introduce the idea of a 'semi-
53 profession' as a halfway house (Goode 1969, for example). However, again, the core
54 mechanisms behind this are explained differently by different theorists, and might
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3 include formal and informal effects, but the duality is not a part of the generating
4 drive for change.
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6 Formality can be seen in this way throughout the sociology literature. For example, in
7 establishing the foundation for the literature on forms of control within organisations,
8 when Weber develops his concept of the bureaucracy, he refers to it as a rational-
9 legal process (Gerth and Wright Mills 2009). Implicit is its formality, but its rationality
10 and contractual nature are the prime characteristics developed by Weber. Efficient
11 organisations have systematic processes and structural hierarchies to ensure
12 efficiency. Work roles are filled on the basis of competency. These all involve
13 formalisation, but it is not this formal aspect that primarily interests Weber.

14 Contrasting forms of family and charismatic authority are, each, also provided with
15 characteristics that might be deemed informal, but, at the same time, do not clearly
16 fall into a formal-informal duality. Family control, for example, can take complex and
17 formal social identities, just as charismatic authoritarianism can also employ visible
18 systems of enculturation and enforcement: formality and informality are not valid
19 constructs for the argument that Weber wishes to develop.
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24 Foucault (1977) also disregards the issue within his conceptualisation of forms of
25 power that determine organisational behaviour. One might deem it an informal power
26 structure where he describes his virtual Panopticon in which we are all so certain of
27 constant monitoring and observation that we all become complicit in the generation
28 of discipline upon us. For Foucault, there is a clear shift in control away from a
29 controller where control itself is either a public spectacle or, at the least, a physical
30 interrogation by one who manifestly controls power over a subject. This is replaced
31 by an environment wherein one knows that one is subject to a constant but
32 unverifiable gaze and, therefore, since one knows that one is (could be/ might be)
33 watched, then one inscribes that gaze within themselves, on their souls to become
34 useful, productive, and effective. This has no formal existence, and, whilst it might be
35 argued that it creates a process of formalisation, these are not concepts utilised by
36 Foucault.
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41 So, formality is a recurring characteristic of authority, of power, of control and of the
42 organisation of businesses and their work. However, it is seen as a symbol and not
43 the cause. There has been no structured or coherent focus on formalisation as a tool
44 in itself. This paper sets out to establish a typography of the types of formality and
45 apply it to service charge management in order to establish just such a structure.
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48 Formality and informality can offer insight into the analysis of occupational control
49 and the development of forms for the application of this authority. Whilst the two
50 provide a binary system of examining processes, it is possible to consider a
51 continuum between the two extremes of ways in which formalisation can be seen as
52 a means of achieving an end by differing degrees of application.
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57 **Formality and Informality Defined**

58 The definition proposed here is that informality contains loose, spontaneous, casual
59 approaches, ones that might suffer from uncertainty and a lack of clarity and yet do
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3 remain focussed on an end. Not inferior per se, but certainly at odds with rational
4 and corporate mentalities. In this case, the end is one of a maintained building and
5 the fair apportionment of costs in doing this. Informality relies on some level of trust,
6 of competency and is driven by a need to avoid the excess costs incurred in over
7 complicating a task.
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10 Behavioural informality is associated with the social construction of innovation, of
11 ideas and professional judgement and competency to 'get the job done'. There is a
12 coupling between a traditional concept of professionalism and the emphasis on this
13 trust in the professional to do the work based upon heuristics and expertise. To be
14 clear, informality in this paper is one of organisational informality, by which is meant
15 that individuals are allowed to use their judgement to achieve an end. This paper is
16 not discussing individual informality, such as might be applied to linguistics or dress
17 codes. Nor is informality an issue of illegality or unseen activity, such as might be
18 used in the concept of the 'informal economy'. The informality under review here is
19 professional and occupational informality: that the individual professional, company
20 or building management team can develop appropriate and specific approaches to
21 solve a problem without recourse to a centralised, legitimised and highly visible
22 codified procedure. This latter standardisation is associated with formality.
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27 Formality is defined as deliberate, impersonal, transparent and rational systems of
28 achieving an end. It infers the need for a controlling authority. Whilst this role might
29 be taken up by the State, the professional association fulfils this role within this case
30 study; it is the profession that is looked to as the source of determinant authority. Not
31 only is the process itself formalised, but so too the end might include the need to be
32 seen to be achieving said end, to be documented and validated (Dowling and Pfeffer
33 1975). In this case study, tenants need to understand the costs they are paying and
34 be able to judge whether they are fair. This ties in with the point discussed earlier
35 concerning the formality function of a budget (Meyer 1986). However, formality
36 generates more than simply a reality. It provides legitimacy and it responds to
37 increasing propensity to mistrust. Misztal (2015) points to the decline in trust within
38 modern democracies, especially of professional and other status hierarchies, as a
39 key function of formality. Certainly, informality, formality and shifts between the two
40 should be seen as part of wider social processes and as continuous ones. However,
41 they are the result of conscious actions by actors that are seeking to control, or at
42 least engage with, elements of those changes as they impact upon their businesses
43 and workplaces. In this case, this is in a time that Giddens refers to as Late
44 Modernity (Giddens 1990, 1991, 1994), a period of loss of belief in any determinant
45 authority and a refusal to accept the principle that a professional knows best.
46 Individual judgement by a practitioner is no longer authoritative in its own right.
47 Professional competence must be tested and checked.
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54 Misztal (2015) also argues that the demarcation between public and private has
55 added further emphasis to configurations of formality and informality. Digitalisation
56 and the rise of 'Big Data' has emphasised the drive to formality. Brooke (2019), when
57 president of RICS, exemplifies these arguments within building when he eulogises
58 those industrial sectors that "have implemented standardised data-driven processes
59 to increase profitability and efficiency. Standardisation has allowed these sectors to
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3 collect and use data to optimise business performance, create new revenue streams
4 and transform customer experiences.” Common standards to enable data to be
5 stored in “formal, structural databases” will allow global benchmarking because
6 professionals must develop “a consistent basis for measurement”. Standardisation
7 that leads to benchmarking as a key driver for efficiency is certainly now accepted
8 throughout the wider construction and property industries since the publication of the
9 Egan Report (Construction Task Force 1998). Benchmarking performance is a
10 cultural norm of behaviour (Construction Task Force 1998, Egan 2002) and the
11 opportunities offered by more and better data are simply reinforcing this paradigm.
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15 Paradoxically, formality undermines the basis of personal professional judgement
16 because it is associated with standardisation, and removes any trust in the opinion of
17 the individual to operate ad hoc. What it does, though, through this is generate a
18 process of professionalisation that creates occupational expertise by generating a
19 concept of deviancy (or quackery) of any individual outside the professionally
20 regulated boundary. So, whilst members of the profession lose their individuality,
21 they gain from excluding any external competition.
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26 **Typology of Formality-Informality**

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28 Formality and informality describe a binary pair of extremes, but imply a continuum
29 of shade and penumbra between their two polar positions. Definition is seen as
30 pointless where time and place socialise us into an understanding of the formal, the
31 informal and how they relate within any given context in which we as individuals find
32 ourselves. Eccles (2015) refers to the hinterlands of both positions, where
33 tendencies towards behaviour reflect approaching to, rather than absolute
34 expression of, formality and informality. This leads to a meta-formality and a process
35 of trans-informality as real world individuals and organisations engage with daily
36 practical matters within the broad dominion of one or the other. However, this paper
37 goes further and does propose a typology of formality and informality when applied
38 to occupational forms as a means of examining the changing nature of professional
39 work.
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44 These ideal type approaches to the process of formalisation are described as
45 follows:
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47 **Formal-Prescriptive.**

48 This is a coercive paradigm, where standardisation is enforced by a third party. In
49 the case study, this is the production of professional statements, clear regulations on
50 exactly how the work is to be carried out. They are mandatory, frequently
51 benchmarked and enforced by a regulatory regime.
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55 **Formal-Normalised.**

56 Formality is notionally voluntary, but strongly encouraged. In this context, it reflects a
57 voluntary code of practice that presents what is regarded as ‘best practice’. It
58 establishes what is taken to be normal professional behaviour, occupational gestalt
59 on the technical standards of the discipline. There are implied regulatory penalties
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3 for not complying, and deviant behaviour needs a clear statement to clients about
4 why such best practice protocols are not being followed. In the case of RICS, codes
5 of practice, whilst voluntary, carry a warning that courts of law will interpret their
6 protocols as normal accepted professional standards and will tend to judge against
7 any actions that are non-compliant.
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10 **Informal-Individual Routinised.**

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12 This is a meta-formal position because there is no uniformity across the profession
13 as a whole. As a matter of substance, an observer might see exactly the same
14 'formal' processes in terms of procedure, but there is no validation, certification or
15 regulation by a third party. It is a system developed by the individual professional (or
16 company) and regarded as appropriate to meet their ends (and satisfy their clients)
17 based upon their personal judgement and experience. It might originate as either a
18 trans-informalisation change or be embedded within a narrative of formalisation. In
19 other words, it could be driven by a call for centralisation or a rational move for
20 efficiency or legitimacy by the individual. However, it is driven by the need to
21 generate a practical and appropriate, a cost effective, and a culturally agreeable,
22 approach to 'get the job done' and to be able to cooperate with colleagues, clients
23 and contractors.
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27 **Informal-Individual Internalised.**

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29 This trans-informal approach is focussed on ends. It is fixed in a social view that
30 professionals are inherently competent and trustworthy and can be left to achieve a
31 given result. It conflicts with Giddens (1990, 1991, 1994) description of Late
32 Modernity where such trust is lacking, but conflates with earlier views in the
33 sociology of the professions and, indeed, of the informal role in wider society of "bus
34 conductors, by park keepers, by lavatory attendance and by a police force that was
35 largely admired" (Kynaston 2009: 542) in self-policing integrity. As an example,
36 Bosk's (1973) description of medical professionals alone interpreting what is, and
37 what is not, 'failure' through informalised social control is an excellent example and
38 contrasts with a late modern viewpoint on how doctors should be regulated.
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43 **Informal-Chaotic.**

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45 Notionally, it is possible to identify an utterly non-organised approach to work in
46 which records are not kept or at least not processed correctly. This, perhaps, mirrors
47 sole trader tradesmen who focus on 'the day job', doing the work at hand, and are
48 disinterested on any form of associated record-keeping. Some of the literature in the
49 case study might be taken to imply that standards of performance are so poor as to
50 warrant such treatment, but it is probably not a realistic model for any building
51 management process where a service charge is to be levied. Additionally, the
52 presumption that informal occupational modes are less effective in achieving ends
53 might be one adopted by much of the literature, but this does not make it so. In fact,
54 that in itself is an interesting conclusion of the study. Formality itself is seen as a
55 means of professionalising and improving the quality of service, but the results of
56 formalisation are less than convincing.
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Methodology

This is a conceptual paper that considers formality-informality as a means of observing and explaining occupational behaviour in general and the actions of a regulating (and non-regulating) professional authority. It utilises historiography to describe the shifting nature of the form of work within service charge management.

The paper has been constructed within the Emerald paradigm of a 'conceptual paper', defined as one that "focuses on developing hypotheses and is usually discursive. Covers philosophical discussions and comparative studies of other authors' work and thinking" (Emerald 2022).

The data used to generate the narrative is a mixture of primary data and secondary literature. The primary data considers performance metrics, which are not directly utilised within this paper. Rather, this work is concerned with their critical examination to drive the qualitative narrative. Therefore, the data is cited to the relevant research output in the form of a secondary reference and where its validity, generation and broader methodology is established and can be validated. These are bookended from 2009 (Eccles and Holt 2009) to 2021 (Eccles 2021). Together with the literature, they form the rich and authentic observations that are weaved together to produce this synthesis.

The material utilises performance metrics that are quantifiable and can be reasonably taken as proxies for the wider service provision. The selection of accounting related metrics (see, for example, Calvert 2008, Eccles and Holt 2009, Eccles 2020) along with straightforward binary evidence on business norms (see, for example, Eccles and Holt 2009, Eccles 2020) have consistently been accepted as providing this. Metrics required by the 2006 code of practice (RICS 2006) have provided a set of parameters that have been used and, broadly, allow for a longitudinal analysis of performance 2006-2020, whilst mundane issues such as whether letters are dated and signed have provided additional benchmarks. Interview fleshed out some of these (Eccles and Holt 2009).

The Age of Benevolent Disinterest – the Informal and the Individual

There is a general feeling that the field of property management is located in an occupational margin where profit margins are low, the work is dull and it is not a first choice destination for chartered surveying graduates. For many years, Stapleton (1985) was the only real 'text' in the field, and his was rather downbeat about the sector. There was no institutional interest in the discipline and certainly no statements on practice. Reliance was placed on the individual and their wider professional enculturation to norms of honesty and ethical integrity.

The closest to any formal document on practice in the field is a private company's 'Code of Practice' (Drivers Jonas 1990) which establishes "what we believe to be the basic principles of good service charge management" (Drivers Jonas 2000: 3). It was revised twice (Drivers Jonas 1995, 2000) and was lightweight and short. It contained no direct practice procedures, but outlined broad principles that few would disagree

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3 with as points of ideal. In effect, it was primarily a promotional device and could
4 barely even be said to be trans-informal in terms of its effects on actual practice.
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6 This said, the code was quite advanced and proposed some norms of practice that
7 proved problematic to endorse in even the latest mandatory professional statement.
8 These include the fact that the accounts should be independently audited, by an
9 accountant, and that sinking funds should not be used. It also proposed some very
10 bold treatments by landlord, including that they should be allowed to use service
11 charge money to aid their own cashflow and that leases should be written to include
12 a broad 'sweeper' clause that would allow landlords to recover any charges that are
13 for the good of 'everyone', rather than simply maintenance issues. These latter
14 points are a central cause of discussion today when considering the issue of green
15 leases and who should pay for 'improving' the sustainability credentials (and
16 operating efficiency) of a building. The proposal requires a great deal of trust in a
17 landlord/ agent, the sort discussed in the 'Informal-Individual Internalised' model. It is
18 difficult to credit that this was ever a serious proposal from a Late Modern
19 perspective!
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24 Interviewees whose experience stretches back that far never expressed any obvious
25 concerns with the either the quality of work carried out or the need for
26 standardisation. Respondents from both tenant and landlord sides generally agreed
27 that matters worked adequately. That said, it is difficult to exclude for romanticism
28 and the fact that data from such individuals is not easy to obtain given that most
29 have now long retired. However, the wider sociology of the professions does point to
30 this time as still one of mostly trust in professionals and their self-regulation. Informal
31 – Individual Internalised routines would seem to be regarded as perfectly adequate.
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35 It might be said that there has always been a formal aspect to service charge
36 management because the ability to levy a charge relies solely on the property lease
37 and whether it authorises one. Within the UK, a lease would certainly include this for
38 multi-let buildings. However, once that clear-cut principle is accepted, the exact
39 nature of the charge and how it should be administered is usually far vaguer. Lease
40 writers do not see the document as a management handbook, but a statement of
41 rights and obligations. Everything is about interpretation. This is an informal-
42 individual model of approach, whereby professionals use their judgement, unless,
43 and until, a court rules on a specific aspect of the process. Even then, the ruling
44 would be to a specific situation and be open to reasonable interpretation in applying
45 it elsewhere. What is more, Holt and Eccles (2019) are critical of the transparency of
46 leases. They point to the availability of standardised forms of leases (see, for
47 example, BPF (undated)), but find little application of any regularised construction of
48 the obligations and duties. Lease writing itself, rather than having at the least a
49 formal-normalised view on what a good lease might look like, is not only informal-
50 individual, but thereby further encourages non-centralised practices simply by the
51 fact that property managers must deal with each lease on its own merits in an ad hoc
52 manner.
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58 That said, economic narratives on the issue of monopoly and professional codes
59 were already being fought and lost at this time in the UK with the abolition of fixed
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3 professional fee scales, for example (Monopolies and Merger Commission 1970,
4 1977, 1978, RICS 1990). This was followed by a drive for compulsory competitive
5 tendering (HM Treasury, 1991). Certainly, 'something' heralded a start to what
6 became a very different mode of practice, but it took some time for it to take any
7 concrete form within service charge management. It is also at this time that Abbott
8 (1981, 1986, 1988) argues for a concept of jurisdiction', where professions articulate
9 areas of competence, establish occupational zones of control and, occasionally,
10 engage in turf wars in an attempt to obtain greater suzerainty over areas of
11 expertise. This generates the need to validate control over these areas and can,
12 therefore, be seen as a further driver for formalisation in order to establish, protect
13 and promote professional authority. The lack of any credible alternative to contest
14 authority perhaps explains the weakness of the driver in this case, and the tardiness
15 of the beginning of the process of formalisation within service charge management.
16 Still, legal and social pressure was driving change within occupations generally, and
17 even service charge management was not exempt from this.
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24 **The Beginning of the End for Informality: 1996**

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26 Whatever the prevailing context, there was no whiff of grapeshot from London, the
27 base of the RICS, until 1996. It is unclear exactly why there was a shift in 1996,
28 when the first 'official' regulatory document was produced, Service Charges in
29 Commercial Properties – A Guide to Good Practice. Holt, Eccles and Bennett (2011)
30 describe the process through which the regulation of commercial service charge
31 management has passed as a tortuous battle of vested interests, which rather
32 counters the romanticised view of Informal-Individual Internalised approaches that
33 were creating satisfactory service levels. At the same time, this conflict suggests a
34 strong pressure to retain at least a degree of informality and lends credibility that
35 there was some defensible basis for it.
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40 Two aspects on this first document are interesting. First, whilst Holt et al do not
41 directly use the term formalisation, they do state that this "commenced the evolving
42 process on codifying service charge management" (Holt, Eccles and Bennett 2011:
43 8). Therefore, there is a clear outline that this is about generating the formal.
44 Second, they do describe the document as "rather informal" (ibid) and point to its
45 lack of any technical details. They go on, "at first sight to be an unassuming
46 document. It is undated and has no publisher, acknowledgements, ISBN or author,
47 although the sponsor's names are on the front cover" (ibid). It is not a handbook.
48 They also interviewed participants in the creation of the guide, and report that there
49 was a strong objection to creating a formalised document or generating a single
50 version of best practice. Therefore, the informality dominant paradigm pre-1996 was
51 retained – mostly - because it maintained a status quo and was the line of least
52 resistance and most agreement.
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57 Of course, the question is: did it work? One problem in assessing this, is that it is not
58 clear exactly what the document set out to achieve. The suggestion implicit in the
59 interviews with those involved was that 'something had to be seen to be done'
60 because of the wider social changes discussed above. Professional work was no

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3 longer trusted, at least not in unregulated forms. But, equally, these interviews were
4 held long after the fact and in hindsight. The document itself presents an
5 occupational environment that is mostly at peace, and there is nothing in a literature
6 search of that time that suggests any widespread dissent from this. That said, in
7 discussing this document, Holt, Eccles and Bennett (2011) argue very strongly that
8 performance was very poor. Their paper calls for the need to standardise
9 professional practice, to the extent that it presents proposed certificates, statements
10 and schedules that should be used by practitioners. For them, the 1996 Code is a
11 failure, and this stems from its informal approach. 15 years on, their view is that a
12 lack of crystal clear prescription produced inadequate quality of work, and they
13 reference many sources, not least tenant satisfaction surveys, to endorse this. It is
14 clear that the researchers associate informal and individual approaches to carrying
15 out the work with the ineptitude that the authors find within their research of the
16 efficiency of practice at that time.
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21 However, it is important to note that they 'associated' informality with ineffectiveness
22 rather than proved it. And, given the ongoing issue with formalisation not generating
23 improvement, it remains unproven. The authors validated their call for formalisation
24 in a "direct contrast to developments in the residential sector, accounting practice for
25 commercial services charges is largely unregulated, not privy to joint consultation
26 exercises involving property professionals, legal experts and accountants, and is
27 hampered by the nature of the diversely worded accounting provisions within most
28 commercial leases. Given these barriers to change, it is unsurprising that the sector
29 produces accounts in the way that it presently does" (op cit: 17). This points to the
30 advantages of formality; that it is more easily regulated, that it can bring together
31 disparate views and that, by being transparent, is open to continual refinement.
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35 Here again, perhaps, is a further nuance. Informal systems are not more prone to
36 fail, but they are more difficult to put right, that they allow failure more easily, and
37 they prevent any organised remediation at a national level.
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40 Holt, Eccles and Bennett (2011) actually argue that low fees and small profit margins
41 are the most likely cause for the disinterest in resolving poor practice given by their
42 interviewees. This is not an issue of informal-individual systems, although they also
43 argue that developing a code and engaging with formalisation should drive out those
44 unable to obtain the regulatory approvals to practice and thence drive up fees.
45 Formality has a cost, but also drives up price. The payback to the paying client is a
46 better value service and less time and money lost through breakdown in landlord-
47 tenant working relationships. But it requires the landlord('s agent) taking the risk of
48 facing rising costs that clients will accept in the form of increased fees.
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51 However, this was not the prevailing view in 1996. A loose guide with no technical
52 detail and absolutely no prescription was the result of the discussions then. This is a
53 clear endorsement in informal and ad hoc expert-led solutions.
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56 In fact, the informal-formal axis offers an interesting perspective on the business
57 world in the 1990s and what was taken to be a normal and acceptable view on
58 professional standards. Individual judgement predicated on a trust in expertise is the
59 dominant paradigm. Of course, there is no evidence from that time of the actual
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3 rationale behind the Guide's adoption. We do not have access to the discussions
4 that took place then, only the result. "One interviewee recalled that a member of the
5 working party had commented 'that agreement to publish could not be achieved for a
6 more detailed document'" (Holt, Eccles and Bennett, 2011: 9). Interviews done by
7 the researchers to understand the process occurred at least a decade later and with
8 full hindsight and in a very different professional worldview. By the time this work
9 was carried out in 2011, it would be very difficult to defend practice in the field as
10 anything other than poor and the Credit Crunch had focussed attention onto cutting
11 (all) costs. Tenants of all sizes and sectors were examining all of their building
12 charges and asking questions of amounts that they had previously deemed not worth
13 attention.
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17 The 1996 Guide lasted barely four years, and was replaced in 2000 by a second
18 edition (Guide to Good Practice Working Party, 2000). This in itself offers insight into
19 the success (or lack thereof) of the code. Indeed, the sheer number of versions of
20 the code is interesting. A third edition was launched in 2006 (RICS 2006), then 2011
21 (RICS 2011), 2014 (RICS 2014) and, then proposed for 2018 (RICS 2017), which
22 was implemented in 2019 as a mandatory practice statement (RICS 2018). The third,
23 2006, edition was also entitled the first edition, with subsequent second, third and
24 fourth editions. This suggests that RICS regarded it as a break with previous
25 traditions and a new approach. And it was this 'first' edition that marked a paradigm
26 shift away from informal-individual approaches to the work being done.
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32 **Formalisation as a Process and not an End**

33 Service Charges in Commercial Property (RICS 2006) established benchmarks,
34 proposed 'best' approaches to carrying out work and, whilst still a voluntary code,
35 placed the weight of institutional regulation behind its adoption. No longer was ad
36 hoc, individual judgement perceived as appropriate, but RICS centralised its 'best'
37 minds on the issues to deliver a single, 'best' view on what forms occupational
38 practice should take. And these should be formalised, if not standardised.
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42 Herein is another interesting nuance drawn out by a consideration of formality
43 because there was no prescription. In fact, Eccles and Holt (2009) criticise the
44 approach of the code in failing to provide prescriptive guidance in a step-by-step
45 manner. They refer to the use of a generic list of principles as being unhelpful in
46 setting out clearly what practice benchmarks are acceptable. So, the RICS approach
47 provides an interesting fuzziness within the binary polar extremes of informal and
48 formal. The codes are, in effect, neither formal nor informal. There is both precision
49 in expecting certain practices, whilst imprecision in both how to achieve these and
50 what exactly is being required. This is reinforced by the lack of any third party
51 benchmarking or performance measurement. RICS appears to have been of the
52 view that a bureaucratic, managerialised, approach would become an end in itself, a
53 box ticking exercise. However, they also recognise the efficacy of transparency:
54 "being transparent both in the accounts and the explanatory the manager will prevent
55 disputes" (RICS 2009: 9). At the same time, the individual practitioner is best placed
56 to determine exactly how this will be implemented.
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3 Within the typology presented here, 2006 is the rise of the formal-normalised mode
4 of occupational performance because of the centralised role of RICS. The role of a
5 determinant authority in establishing norms, albeit voluntary ones or those open to
6 interpretation and variance, has to be a core feature of formalisation. There was no
7 authoritarian declaration and there was also no benchmarking or validation of
8 performance – and this has remained a core issue of debate. At the same time,
9 RICS stresses that its voluntary codes are judged by courts to be quasi-mandatory;
10 failure to follow them is taken by the legal system as evidence of negligent practice.
11 So, again, there is a coercive edge to the formality implicit in the system that
12 enforces formal-normalised procedures and promises penalties for 'deviancy'.
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16 As professional practice slowly solidified into ever more formal, long and prescriptive
17 codes of practice between 2006 and 2014, the next issue was this one of adoption.
18 The existence of a Code of Practice did not ensure compliance with it. Most literature
19 points to only poor performance against the required benchmarks throughout the
20 evolution of the various codes of practice (see, for example, Calvert 2008, Eccles,
21 Holt and Zatolokina 2011 and Holt 2015). Whilst there is some sign of improvement
22 year-on-year, it is from a very low basis and statistically unconvincing. What is very
23 clear is that the very poor levels of professional performance over the study period
24 remained the driver for the actions of RICS, even whilst it defended the professions'
25 performance (RICS 2009, 2010) and argued that there was no evidence of
26 widespread bad practice. RICS steadfastly maintained that informal practices were
27 appropriate to the problem, that individual professionals were best placed to resolve
28 how to carry out occupational tasks and, even when formalising practice, continued
29 to emphasise the individual as the interpreter and arbiter of generating performance
30 standards. That the low fee base, lack of statutory oversight and the informed nature
31 of tenants meant that 'using a hammer to crack a nut' by formalising was far too
32 onerous and simply not necessary. So, for one side of the argument, informal is
33 associated with appropriate. However, RICS relied on the informal reporting of its
34 own members for this position. Formal surveys of tenant satisfaction offered a much
35 worse interpretation. For example, the Property Industry Alliance surveys on tenant
36 satisfaction at this time score roughly 5/10 overall and 4/10 in service charge
37 management issues (see, for example, Property Industry Alliance 2012).
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44 The most serious issue with RICS' approach, one of voluntary adoption of relatively
45 informal processes, was that it was not bringing improvements. Tenant satisfaction
46 was relatively unchanged (Property Industry Alliance 2012) and benchmarking by
47 third parties showed very poor levels of compliance ongoing on what are quite
48 straightforward issues of occupational management and administration. Eccles, Holt
49 and Zatolokina (2011) refer to unsigned paperwork and undated letters, for example.
50 All of this is the result of the failure of the principle of trust behind the concept of
51 informality that was the basis of the RICS approach. However, equating failure to
52 date or sign a letter with the idea of informality is problematic. This is just
53 unprofessional, lazy and offhand. And this is where informality becomes tarnished
54 with a criticism of inferiority because formal protocols would not – allegedly – fail to
55 sign letters.
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3 “Trusting in such judgements to adequately satisfy these requirements remains a
4 continuous source of dispute and leads to the variances in practices discussed ...
5 Continued refusal to formalise these requirements within service charge
6 management reinforces the belief that improving practice is not an issue of
7 professional conduct” (Eccles, Holt and Zatolokina 2011: 212).
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10 Comparability is an important issue here as well. Only through formality would we
11 see similar systems of data preparation, which would then enable occupiers and
12 investors to compare buildings, costs and the service that they are receiving. In
13 global markets and for national and international occupier-businesses, it is evident
14 that their own internal management and audit processes will increasingly require the
15 ability to compare a building they use in, say, Blackburn with one they occupy in,
16 say, Bristol, and both those with Warsaw.
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20 21 **The End of the Beginning**

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23 In a process that began with the lightest of touches, inasmuch as the first guide
24 offered no technical advice, the latest version of the Code has been upgraded from a
25 non-mandatory guidance note to a coercive formal-prescriptive professional
26 statement (RICS 2018). Much of the content of the latest Code is substantially
27 unchanged from its previous iterations (Eccles 2020), but the shift from a ‘voluntary’
28 guidance note to a ‘mandatory’ practice statement is a marked change.
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31 In reality, large parts of the mandatory professional statement are actually guidance,
32 and the switch in emphasis, at a practical level, can be overstated. The Code does
33 contain changes from its original proposition (RICS 2017) and there were obviously a
34 number of opinions within the RICS membership on how to deal with certain issues.
35 On balance, however, Eccles (2020) suggests that by adopting a professional
36 statement approach, even though many aspects are left to voluntary interpretation,
37 RICS has drawn a line under what we here are referring to as informality, and that a
38 centralised normality has been codified and established. Even if a rearguard action
39 has been fought to retain an illusion of choice, individual choice as described through
40 informality is increasingly disallowed and disregarded. Not following the provisions of
41 a guidance note carries a very clear warning; any court will regard the ‘guidance’ as
42 a clear instruction on what is seen as ‘professional’ practice standards.
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47 So, formality is very much a desired end point within this paradigm: transparent
48 practice that ensures minimum quality standards via a uniform professional view on
49 the ‘best’ practice and enforced through regulatory measurement and benchmarking.
50 It is a complete rejection of the informal as a satisfactory way of carrying out
51 business.
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54 The use of formalised-coercive occupational structures evidences the ownership of
55 expertise that Abbott’s (1981, 1986, 1988) jurisdictional system of the professions
56 mandates. They also serve as enculturating members into ‘approved’ methods of
57 working by outlawing individual initiative and informal approaches, even where these
58 might be routinised. Whereas the traditional view of professional authority was based
59 on the individual and the association as a collection of individuals, formalisation
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3 describes how it is the coercive rule of the institution that creates the new gestalt.
4 Those professionals that Bosk (1979) sees as the ultimate determinants of
5 competence because of their expertise and the plain fact that they 'do' the job have
6 found themselves formalised out of the role by a resetting of where authority lies.
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9 The only absence within a codified formality concerns compliance. It will be
10 interesting to see if this will be monitored, either by RICS as a determinant authority
11 or by third parties operating as client-side actors.
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13 Whilst the current practice statement does not set out benchmarking or establish a
14 register of performance, it does recognise the need to formalise performance as well
15 as process. Much of the discussion above has been about process, albeit driven by
16 the low quality of output. But the assumption that improving process would result in
17 better output has not been proven in the field of service charge management.
18 Therefore, formalisation as a process of performativity is introduced, whereby focus
19 is placed upon optimisation of the systems through the calculation of output (Lyotard
20 1984). This suggests what the next stage will be: a benchmarking system. Within this
21 context, formalisation as simply a metanarrative (the voluntary codes of practice) is
22 doomed because it faces what Lyotard refers to as innate postmodern incredulity to
23 any such grand narrative; as Giddens (1990, 1991, 1994) later argues, the loss of its
24 role as a determinant authority renders claims by RICS to dominance as
25 unbelievable to a distrustful and cynical society. Voluntary codes are not to be
26 trusted, and so the formal-coercive mode provides a concrete reality of occupational
27 regulation that the codes of practice cannot.
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32 It is also worth noting that this 'end of the beginning' period is also the start of a
33 wider, 'democratising', process within RICS. Again, this falls outside a mere narrative
34 of change, but is prepared to offer a reconstructed institutional reality. RICS has
35 launched a collaborative model in order to open out debate on the production of
36 practice statements (see, for example, Sullivan 2018). It promotes these as engaging
37 the wider professional community and its global expertise in developing better
38 practice standards. This includes a digital community to avoid a London- or British-
39 bias. It provides performativity and establishes a formality paradigm, because it
40 promises transparency and an approach appropriate for 'the twenty first century'.
41 Previous informal, or, at least, less formal working groups and ad hoc committees of
42 volunteers are replaced by a more inclusive system whose membership is open and
43 inclusive.
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48 As was discussed at the beginning of the paper, measurable improvement in service
49 charge management service provision has not really improved over the last 40
50 years. However, the informality-formality polarity has explained a marked shift in the
51 process by which the work is undertaken, and points to further change. It could be
52 said that formality has not resulted in any clear improvement in standards because
53 as metrics were put in place, performance standards did not improve (much).
54 However, it has generated cultural change within the profession, it has established
55 jurisdictional control over the field and it manufactured a metanarrative that will allow
56 it (or has forced it) to continue to transform an informal workplace into a formal-
57 coercive one.
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Conclusions

So, what happens now? Formality is associated with the critical narratives of the age – transparency, accountability, legitimacy, governance – and this provides it with its competitive advantage over informality. The latter is only ever one ‘quack’ away from confirming a viewpoint that it is associated with elitism, disinterest and is a shield to incompetence. The fact that informal systems were seen as optimal as late as the work of Bosk (1979) is more a symbol of the shift in perspectives in the last 40 years than one that offers any real chance for a return to a system of individuality in expertise. Even if that were seen as preferable. However, this clouds the reality that formalisation in itself does not actually raise standards, or improve governance, legitimacy, transparency or accountability. All of the benchmarks referred to in this paper (Eccles and Holt 2009, Eccles 2021) shows very little improvement in the quality of outcome received by the clients of the profession.

Formality and informality are terms adopted across time and place and within different fields of study as symbols to enrich the theories being developed within those contexts. However, they are not regarded as a structured subject of interest in themselves and some argue that the terms are inherently of no permanent meaning (Misztal 2015, for example). Informality is often seen as the ‘dark side’ of formality, involving illegality and subterfuge. This paper set out to use the formality-informality duality within the study of work and to use it as the lens to understand occupational changes within the case study of service charge management. To that end, a typology of formal-informal was developed.

In what might be described as the pre-late modern era, referred to here as ‘benevolent neglect’, the occupation operated with trans-informal systems based upon trust in expertise. Professionals operated decoupled from a need to explain and only loosely coupled to a vague notion of professionalism operated by their peers. Change arrived from a number of sources, including increased cynicism in the benevolent expert, rational economic ascendancy over the market for professional services and a service quality that was not adequate.

The response was gradual formalisation: formal processes and formal documentation were regarded as a method of improving professional performance by those critical of the service that clients were receiving. Resistance was twofold: it was an unnecessary attack on professional expertise, and it would be borne only by those subject to regulation and was, therefore, an uneven burden. Attempts to engage in voluntary practices were often seen as metanarrative sham, but also failed to improve practice. In fact, both sides were operating on the basis of a falsehood. Formality itself did not improve performance, and so it was not an answer to the question being asked of it. However, the profession evidently was failing and needed to find an answer: the visibility of formality provided a legitimacy function evidencing that practices were shifting.

Faced with deteriorating confidence in this service specifically, and of professionalism in general, coupled with direct attacks on its occupational

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3 jurisdictions, RICS engaged in increasing formalisation to normalise procedures.
4 Formality was thus used as a means to improve service levels (which it failed to do)
5 but also to give a concrete reality to claims that the chartered surveying profession
6 was the 'owner' of expertise in the field. Codes of practice gave formal reality to
7 centralising expertise within a single institutional gestalt: RICS became the
8 normalised qualification of the service charge manager. Clients should expect this.
9 Practitioners became encultured into a community of peers – and into a society of
10 regulation. Where occupational jurisdictions are seen to exist, formality established
11 boundaries of control for this area and settled upon RICS dominance over this zone
12 of work.
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16 Formalisation offers an examination of how individual professional judgement is
17 replaced by a centralised, institutional, viewpoint – that of the professional
18 association. Whilst this is a peer membership group body, it is also a regulated
19 hierarchy. Within its membership of equals, it is also a body of unequals as the
20 changes are driven through by an executive and a cadre of individuals that are
21 removed from the many thousands of ordinary members, together with an executive
22 of non-members that control and regulate. Ordinary professionals can be seen as
23 'losers' in this context – they lose their independence and their sovereignty over
24 expertise. Every individual's island of independence is transformed into a regulated
25 hegemony. In this case, of course, service quality was evidently poor and so it is
26 difficult to argue any downside. Unfortunately, there is little upside for clients, who
27 gained only marginal improvement in performance. For professionals, loss of
28 independence is balanced by 'professionalisation' – formalisation evidences
29 regulated members as competent in a way that non-members exhibit a 'deviancy' in
30 professional standards from the 'norm': RICS property managers are badged and
31 regulated (and formalised).
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37 Service charge management is, perhaps, unusual because the drivers for change
38 within this field have been a weak constellation of divided, contrasting and competing
39 factors. As an occupational backwater, the coercive political drive against central
40 control (specifically scale fees) in the 1970s and 1980s that was fuelled by the
41 deregulation agenda was felt only weakly. As a mediocre income generator, there
42 was little interest in establishing occupational jurisdiction. The work itself is also quite
43 clearcut, which makes it difficult for the profession to engage in a process of
44 professionalisation through fictional commodification (see, for example, Larson
45 1977). Clients themselves, even though dissatisfied, have not organised to enforce
46 action. Ultimately, there was no coercive driver to develop a focussed formalisation
47 agenda and so formality itself can be seen as its own driver.
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51 Where does this leave informality? Because the issue under study is a professional
52 area of work, informality was never concerned with ambiguity. Within their own
53 boundaries, each business, each tenant, each property has been managed to
54 'acceptable' principles – or, at least, to equivalent outcomes as have been latterly
55 generated by more formalised processes. Informality here is primarily concerned
56 with the lack of a single determinant authority to establish a single set of procedural
57 norms through formalisation. Informality is about personal judgement. It is this which
58 was replaced in the name of raising standards via centralised control and best
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3 practice. In this study, it is clear that voluntary practice standards have not been
4 'best' and this has lent strength to the drive for formality.
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6 Informality is almost certainly now relegated to the fringes of quackery, despite the
7 fact that each iteration of a more formal process has failed to deliver much in the way
8 of 'improvement'. The result? *More* formality, *more* coercion, *more* centralisation.
9 Formality becomes an iterative process; formality begets formality. So, whilst
10 formality in itself has not achieved the expected outcome, there is no way off the
11 conveyor, no way to put the genie back into the bottle. Unfortunately, in itself, this is
12 no guarantee that professional standards are any more reliable in terms of the
13 quality of their output. It only ensures that the process is more institutionally
14 defensible and the occupation is better defined and controlled by the claims to
15 legitimacy of a professional association. By viewing through the prism of formality,
16 we can see both a move towards the centralisation of the profession and the
17 establishment of a legal framework defining service quality standards to the benefit
18 of the profession and its membership. What we do not see is a fundamental
19 improvement in those service levels despite this being the claimed objective. At a
20 time when the performance of the building industry continues to be scrutinised, this
21 outcome needs to be considered when considering policy options.
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29 **References**

30
31 Abbott, A. (1991) The Future of Professions: Occupation and Expertise in the Age of
32 Organization. In Tolbert, P. S. and Barley, S. R. (eds.) Research in the Sociology of
33 Organizations: Volume 8 - Organizations and Professions. London: JAI Press: 17-42.
34

35 Abbott, A. (1988) The System of Professions. London: University of Chicago Press.

36
37 Abbott, A. (1986) Jurisdictional Conflicts: A New Approach to the Development of
38 Legal Professions. American Bar Foundation Research Journal, Spring: 187-224.
39

40
41 Abbott, A. (1981) Status and Status Strain in the Professions. American Journal of
42 Sociology, volume 86: 819-835. Calvert, J. (2008) The Loughborough Report 2008.
43 Loughborough University Enterprises: Loughborough.

44
45 Andrews, K. (2021) Commercial service charges – when are they reasonable?,
46 available at: [https://communities.lawsociety.org.uk/property-](https://communities.lawsociety.org.uk/property-commentary/commercial-service-charges-when-are-they-reasonable/6001703.article)
47 [commentary/commercial-service-charges-when-are-they-reasonable/6001703.article](https://communities.lawsociety.org.uk/property-commentary/commercial-service-charges-when-are-they-reasonable/6001703.article)
48 (accessed on 22 November 2021).
49

50
51 Bosk, C. (1979) Forgive and Remember. Chicago: Chicago University Press.

52
53 BPF (undated) Short-Term Commercial Lease, available at:
54 <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=2ahUK>
55 [EwjU5K6RwYbgAhUMMewKHRXLDRMQFjADegQICBAC&url=https%3A%2F%2Fw](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=2ahUK)
56 [ww.bpf.org.uk%2Fsites%2Fdefault%2Ffiles%2Fresources%2FBPF-Short-Term-](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=2ahUK)
57 [Commercial-Lease.doc&usg=AOvVaw1BqgysmUVnG3eZKpWh59wm](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=2ahUK) (Accessed
58 24/1/2019)
59
60

- 1
2
3 Brint, S. (1993) Eliot Freidson's Contribution to the Sociology of Professions. *Work*
4 and Occupations. 20 (3): 259-278.
5
- 6 Brooke, C. (2019) To realise the potential of digitalisation we need to standardise
7 while we digitise. *Modus*, November-December: 8.
8
- 9 Calvert, J. (2008) *The Loughborough Report 2008: the paradox of service charges.*
10 Loughborough: Loughborough University Enterprises Ltd.
11
- 12 Construction Task Force (1998) *Rethinking Construction.* London: DTI.
13
- 14 Dowling, J., and Pfeffer, J. (1975). *Organizational Legitimacy: Social Values and*
15 *Organizational Behavior.* *The Pacific Sociological Review.* 18 (1). 122-136.
16
- 17 Drivers Jonas (1990) *Whose Money is it Anyway?.* London: Drivers Jonas.
18
- 19 Drivers Jonas (1995) *Whose Money is it Anyway?.* London: Drivers Jonas.
20
- 21 Drivers Jonas (2000) *Whose Money is it Anyway?.* London: Drivers Jonas.
22
- 23 Eccles, T.S. (2021), "Service charge management at the dawning of the age of the
24 professional statement", *Property Management*, Vol. 39 No. 2, pp. 180-192.
25
- 26 Eccles, T. (2015) Identifying a Formality Hinterland: Trans-Formality and Meta-
27 Formality within UK 'Better Regulation' Discourses. In Mica, A, Winczorek, J., and
28 Wiśniewski, R. (eds) *Sociologies of Formality and Informality.* Warsaw: Peter Lang.
29
- 30 Eccles, T. and Holt, A. (2009) *Accounting for Service Charges in the UK Office*
31 *Market: Evidence on Practice, Code Compliance and Disclosure.* Antim Research:
32 Brentford, UK.
33
- 34 Eccles, T., Holt, A., Zatolokina, A. (2011) Commercial service charge management:
35 benchmarking best practice", *Journal of Corporate Real Estate*, Vol. 13 Issue: 4,
36 pp.200-215.
37
- 38 Edward, C. and Krendel, P. (2007) *Institutional Leases In the 21st Century.* London:
39 EG Books.
40
- 41 Egan, J. (2002) *Accelerating Change.* London: Rethinking Construction.
42
- 43 Emerald (2022) *Property Management*, available at:
44 https://www.emeraldgrouppublishing.com/journal/pm?distinct_id=17f3143eb1e26d-064bd68e98bd88-a3e3164-e1000-17f3143eb1f684&_ga=2.241890690.1631082664.1645799010-359519535.1600159223#author-guidelines (accessed on 25th February, 2022).
45
46
47
48
49
- 50 Foucault, M. (1977) *Discipline and Punish.* London: Allen Lane.
51
- 52 Gerth, H. H. and Wright Mills, C. (2009) *From Max Weber: Essays in Sociology.*
53 London: Routledge.
54
- 55 Giddens, A. (1990) *The Consequences of Modernity.* Cambridge: Polity Press.
56
- 57 Giddens, A. (1991) *Modernity and Self-Identity.* Stanford (CA): Stanford University
58 Press.
59
60

1
2
3 Giddens, A. (1994) Living in a Post-traditional Society. In Reflexive Modernization,
4 (eds) Beck, U., Giddens, A., and Lash, S. 56-109. Cambridge: Polity Press.
5

6 Goode, W. (1969) "The theoretical limits of professionalization ," pp. 266-313 in A.
7 Etzioni (ed.) The Semi-Professions and Their Organization. New York: Free Press.
8

9 Guide to Good Practice Working Party (2000). Service Charges in Commercial
10 Property: A Guide to Good Practice, 2nd ed.
11

12 Halvitigala, D. (2018) The effect of service charge responsibilities on tenants' leasing
13 experience and satisfaction: A New Zealand perspective. Journal of Corporate Real
14 Estate 20 (1): 41-55.
15

16 HM Treasury (1991) Competing for Quality: Buying Better Public Services. London:
17 HMSO.
18

19 Holt, A. (2015) Commercial service charge accounting and audit: a review. Facilities.
20 33 (7/8), pp502-527.
21

22 Holt, A. and Eccles, T. (2019) Leases as inhibitors of best practice in service charge
23 management. Property Management. 37 (2): 275-286.
24

25 Holt, A., Eccles, T. and Bennett, K. (2011) Accounting for service charges in the UK
26 commercial sector: Barriers to change and the quest for best practice. Property
27 Management 29(1), pp7-33.
28

29 Joint Working Group on Commercial Leases (2007) The Code for Leasing Business
30 Premises in England and Wales 2007. London: www.leasingbusinesspremises.co.uk
31

32 Kaufman, M. and Covaleski, M. (2019) Budget formality and informality as a tool for
33 organizing and governance amidst divergent institutional logics. Accounting,
34 Organizations and Society. 75: 40-58.
35

36 Koster, M. (2019) Assembling Formal and Informal Urban Governance: Political
37 Brokerage in Recife, Brazil. Anthropologica. 61 (1): 25-34.
38

39 Kynaston, D. (2009) Family Britain. London: Bloomsbury.
40

41 Larson, M. S. (1977) The Rise of Professionalism. Berkley: University of California
42 Press.
43

44 Law Commission (2020) , Reinvigorating commonhold: the alternative to leasehold
45 ownership, available at <https://www.lawcom.gov.uk/project/commonhold/> (accessed
46 on 8th January 2021).
47

48 Lyotard, J-F. (1984) The Postmodern Condition: A Report on Knowledge.
49 Manchester: Manchester University Press.
50

51 Meyer, J. (1986) Social Environments and Organizational Accounting. Accounting
52 Organizations and Society. 11 (4/5): 345-356.
53

54 Misztal, B. (2015) Configurations of Informality and Formality in Contemporary
55 Society. In Mica, A, Winczorek, J., and Wiśniewski, R. (eds) Sociologies of Formality
56 and Informality. Warsaw: Peter Lang.
57
58
59
60

1
2
3 Monopolies Commission. (1970) Report on the General Effect on the Public Interest
4 of Certain Restrictive Practices so far as they Prevail in Relation to the Supply of
5 Professional Services, Command Paper4463. London: HMSO.

6
7 Monopolies and Mergers Commission. (1977) Surveyors' Services: A Report on the
8 Supply of Surveyors' Services with Reference to Scale Fees. London: HMSO.

9
10 Monopolies and Mergers Commission. (1978) Architects' Services: A Report on the
11 Supply of Architects' Services with Reference to Scale Fees. London: HMSO.

12
13 Mustoe, H. (2021) "‘Absurd' leasehold pricing should stop, say campaigners",
14 available at <https://www.bbc.co.uk/news/business-51068760> (accessed on 8th
15 January 2021).

16
17 NAEA Propertymark (2021) "Propertymark", available at
18 <https://www.propertymark.co.uk/> (accessed 1st August 2021).

19
20 Noor, M. N. M., and Pitt, M. (2009) A discussion of UK commercial property service
21 charges. Journal of Retail & Leisure Property 8(2): 119-138.

22
23 Property Industry Alliance (2012) Occupier Satisfaction Survey 2012. Property
24 Industry Alliance: London.

25
26 Property Solutions (2017) SCOR. Bristol: Property Solutions.

27
28 RICS (2018) Service charges in commercial property, 1st ed. London: Royal
29 Institution of Chartered Surveyors.

30
31 RICS (2017) Consultation on 4th edition of the RICS Code of Practice for service
32 charges in commercial property. London: RICS.

33
34 RICS (2014) Service Charges in Commercial Property, 3rd ed., London: Royal
35 Institution of Chartered Surveyors.

36
37 RICS (2013) Small Business Property Guide, London: RICS.

38
39 RICS (2011) Service Charges in Commercial Property, 2nd Edition, London: RICS.

40
41 RICS (2010) Transparency in Professional Fees, RICS, London.

42
43 RICS (2009), "RICS launches transparency working group", available at:
44 www.rics.org/Newsroom/Pressreleases/pr04_rics_twg.htm (accessed 2 February
45 2009).

46
47 RICS (1990) The Chartered Surveyors' Rule Book, Rules of Professional Conduct.
48 London: RICS Books.

49
50 RICS (2006) Service Charges in Commercial Property, London: RICS.

51
52 Stapleton, T. (1985), Briefings for Surveyors 5 – Service Charges, Henry Stewart
53 Publications, London

54
55 Sullivan, J. (2018) Telling it like it is. RICS Construction Journal, September/
56 October: 4.

Unknown (1996) Service Charges in Commercial Properties – A Guide to Good Practice.

Property Management

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
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