

Minutes of the Committee of Management Meeting

held on Friday 17th October, at LACoRS, Local Government House, London

Present: Mr John Daniels (Chair), Mr Michael Ball (ASRA), Mr Bob Crompton (Victoria Hall), Mr Rob Damio (Unipol Student Homes), Mr Gavin Duncan (Opal), Ms Rachel Edwards (CLG, for Mary Stallebrass), Mr Bill Franciscy (University of Greenwich, for Jonathan Chandler), Mr Alan Hilton (Cass and Claredale), Mr Dennis Hopper (University of Leeds), Paddy Jackman (CUBO), Mr Charles Marshall (Liberty Living), Mr Paul Rowlinson (Sanctuary Management Services), Mr Terence Treadwell (Nido Student Living), Ms Sarah Wayman (NUS), Mr Keith White (CRM Students)

In Attendance: Scott Blakeway (Unipol Student Homes), Ms Jane Crouch (IQ), Ms Sara Emanuel (LACoRS), Mr Simon Kemp (National Code Administrator), Mr Charles Kerr (Swanbourne)

Apologies: Mr Mark Allen (UPP), Mr Jason Baines (Derwent Living), Mr Martin Blakey (Unipol Student Homes), Ms Jane Carroll (Mainstay), Mr Jonathan Chadler (University of Greenwich), Mr Jeff Childs (Welsh Assembly), Mr Ian Fletcher (ANUK), Ms Ruth Hammond-Laing (LACORS), Mrs Helen McNeely (AMOSSHE), Mr Alan Russell (UNITE), Mr Robert Russell (AoC), Ms Mary Stallebrass (CLG), Ms Geraldine Ward (University of Hertfordshire)

The Chair opened the meeting at 10.10am. He thanked LACoRS for agreeing to host the meeting and for providing lunch and asked members present to introduce themselves. The Chair welcomed the one new member present, Mr Damio (Unipol) and thanked his predecessor, Jacqueline McNee (former ASRA rep) for her contributions at previous meetings. It was **agreed** that the National Code Administrator should investigate the possible use of name cards for all future meetings.

Minutes of the Previous Meeting

The minutes of the meeting held on June 26th 2008 were approved.

Matters Arising

National Code Conference – The National Code Administrator (NCA) re-informed members of the date and venue and reminded them that copies of the agenda has been emailed out and were also available on the Unipol website. He reiterated the fact that a discount was available to all organisations who register 5 or more delegates.

The Rugg Review – Rachel Edwards from CLG announced that Dr Rugg would be reporting on Thursday 23rd October and that copies of her report would be posted onto the CLG website as soon as possible afterwards.

Energy Performance Certificates – The NCA reminded members that he can provide copies of the EPC presentation made at a Unipol event to all who required it.

Promotional Report – The NCA apologised to the meeting for the fact that no progress had been made with the production of this document, which had originally

been planned for September 2008. It was proposed that the newly created Marketing and Publicity Working Group discuss the report and decide on the most effective format and design for it. This was **agreed**.

Tenancy Deposit Protection and Early Day Motion 1557 – Sarah Wayman (NUS) reported that two EDMs were submitted and that these had attracted the signatures of 40 MPs. NUS were hoping that the issue might be picked up in the Rugg Review, so any debate on the EDMs was being delayed until after the report had been published.

Update on Code Membership

The National Code Administrator reported that the number of bed spaces covered by the Codes at the start of September 2008 was 110,023, an increase of 2.5% since the last meeting in June 2008. He indicated that the main reason for the increase was due to the expansion in the number of developments managed by members, especially the non educational establishments who are responsible for 84% of all the bed spaces included in both the codes. There had also been a small increase in the number of bed spaces included in the Code for educational establishments, with one existing university expanding its accommodation and the acceptance into membership of some smaller colleges.

The NCA suggested that there was an increasing trend for existing members of the Codes to acquire additional bed spaces from each other. Members were informed that they need to up-date the NCA about such changes as quickly as possible so that databases can be altered accordingly.

New applications had been received from five providers, which if all accepted would add an additional 1,541 bed spaces. All of these applicants have still to return their self-assessment questionnaire and a number have gone beyond the original deadline given for so doing. This is likely to mean that not all of these applications will be completed.

Outline Budget for 2009

Dennis Hopper was invited to introduce this item. He reported that there was a small deficit on the 2007-2008 financial year, mainly due to costs for verification and the revision of the code for educational establishments; however income was also greater than originally expected.

A number of factors were identified as having a likely impact upon income and expenditure for 2008-2009, including the following:

- Increase in staff costs
- Additional expenditure on communications and publications
- Full costs for Tribunal and Honoriaria expenses
- Greater verification and consultancy costs
- A small growth in the number of bed spaces and members

Dennis proposed that a discounted fee of 50p per bed space be charged for all members of the Code for educational establishments – which was intended to attract new members to that Code. This was **agreed**.

It was also proposed that there be a 3% increase in fee levels for members of the Code for non educational establishments which would mean that existing members pay 0.79p per bed space for 2009 whilst new members pay 0.90p for the same period. The minimum fee payable would be increased to £450. These proposals were **agreed**.

Alan Hilton asked why VAT costs were shown as being a negative figure on the proposed budget. The NCA agreed to check this with Unipol's financial controller and respond to him.

Assessment and Verification

The National Code Administrator announced that the Audit Panel had approved a programme of verification visits to run from late October through to mid November. A total of 17 visits will take place to 15 different members.

The Audit Panel agreed that there should be input into the process from local student unions, preferably in advance of the visit taking place. Michael Ball (ASRA) suggested that staff working in residential services departments of universities and colleges might also be able to provide some assistance and it was agreed to work with ASRA on inviting such feedback.

The NCA reported that the Audit Panel was scheduled to meet in early December to discuss the resulting reports and would also be asked to devise a timetable of inspection visits to be conducted in the Spring of 2009.

Some members of the CoM raised concerns about the fact that Mr Nick Stanton had been added to the verification team. Although they had no objections to Nick himself, they felt his on-going involvement with an existing provider might create some possible conflicts of interest. The NCA reported that all of the verifiers had been asked to sign a contract which contained a clause on confidential information – specifically restricting them from disclosing to any person, firm or company any confidential information arising from their engagement as a verifier. It was **agreed** that a copy of this section of the contract be circulated to members of the CoM.

Review of the Code for Educational Establishments

The NCA informed the meeting that CLG have formally approved the revised Code for educational establishments and asked the CoM to thank Simon Llewellyn and Rachel Edwards from the department for their assistance in the process. Rachel Edwards agreed to provide the NCA with copies of the new Statutory Instruments.

It was reported that the new Code was launched in July during the course of an NUS training event that was being held at the University of Leeds. The CoM **agreed** that a more formal launch should take place now that approval had been given and the NCA was instructed to organise this.

All members of the previous Code for educational establishments will be written to and informed of the main differences between the old and new Codes. They will also be invited to make clear how they wish to be verified in the future – either by external review or peer review. CLG asked that they also be informed that there is no option for these establishments to remain a member of a Code that is no longer approved.

The NCA reminded members of the CoM that it had been agreed that some starred standards be devised relating to issues of student care, security, sustainability and community interface and that these be additional to the main requirements of the new Code. He reported that work on these standards would begin as soon as partner bodies had been identified for each, something which was proving to be difficult in respect of some of the areas concerned. AMOSSHE had agreed to cover student care and it was hoped a meeting could take place in late October/early November to begin discussions. The Home Office had expressed an interest in the issue of security standards but had so far failed to agree a meeting date; members of the CoM proposed that other partner bodies be sought for this, such as the Association of University Security Officers. It had also been difficult identifying a partner body to look at sustainability issues and the CoM suggested that Sound Impact, the Carbon Trust and or the Environment Association for Universities and Colleges might be useful organisations to approach. The final area – community interface – had also proved a difficult area to find partners for and NUS agreed to see whether one of the organisations they were working with could fulfil this role.

Unipol Nottingham Research

Scott Blakeway, Delivery Officer from Unipol Student Homes, gave a short presentation revealing details of a survey into students' housing preferences that was conducted in Nottingham during April and May 2008. Copies are available if people require them.

LACoRS HMO Licensing Advice

The meeting was informed that LACoRS had recently issued some guidance to local authorities on the issue of whether self contained flats in multiple occupation need to be licensed. Sara Emanuel, a consultant to LACoRS, attending this section of the meeting, stated that the guidance had been produced to inform LAs of recent case law and to make them aware that they still have two options available to them when it comes to dealing with such buildings – 1) only license them if the flats themselves cover 3 or more storeys or it's above or below business premises; 2) license all of these buildings. LACoRS believe that the second option “provides a more consistent approach with regard to fire risk” but may mean some LAs have to revise their previous policy if they have previously chosen option 1. They conclude “Whichever approach is adopted, it is important that councils have a clear policy explaining which self contained flats would need to be licensed”.

Members of the CoM asked whether LACoRS would be making any final recommendations on what LAs should do and questioned the lack of consistency in approach. Sara stated that LACoRS role was to identify such anomalies and bring these to the attention of Government.

Rachel Edwards (CLG) suggested that the CoM could raise the issue with CLG and, if it was not included in the forthcoming Green Paper, then to lobby for it to be included. The Chair agreed to draft a letter to CLG to ask whether this is something that will be picked up in the Green Paper or whether it would be better to wait for the review of the 2004 Housing Act before raising it. He agreed to check with CLG on the timetable for this.

It was agreed that the draft of the Chair's letter will be circulated to members of the CoM before it is sent. Sara stated that LACoRS would be prepared to assist with this and suggested a joint meeting to discuss matters further. It was also suggested that Neil Marsden be invited to have an input into these discussions as well as any local authorities who have decided not to license such developments.

Code Marketing and Publicity

The National Code Administrator introduced a paper – previously circulated to members of the marketing and publicity working group – setting out some ideas for marketing and publicity materials aimed at different audiences with an interest in the Codes. He thanked NUS for their work in sending out materials to local student union newspapers and for posting information onto their website.

The Chair suggested that use should be made of existing materials produced on the Codes, such as those devised by CLG and NUS. Paddy Jackman (CUBO) suggested that there should be some joint discussions with UUK in order to combine purchasing power.

Review of the Code for Non-Educational Establishments

The National Code Administrator invited members of the CoM to discuss a proposal that a working group be set up to review the Code for non-educational establishments – with a view to completing the process by November 2009 and introducing the new Code for January 2010.

Rachel Edwards (CLG) stated that they would like to be involved as early in the process as possible.

The proposal to undertake the review was **agreed**

NHS Data Request

The CoM were informed that a request had been received from an organisation responsible for the implementation of a new IT system within the NHS for the names, addresses and postcodes of all student developments signed-up to the ANUK/Unipol Codes. They also requested some additional information about when the developments opened and contact telephone numbers too.

Members were unsure as to why they would require telephone numbers and noted that if the project was only focused on accredited developments then it would miss out on a small number which were not covered by any of the approved Codes. Some also wondered why, if the project was aiming to inform resource requirements within the

NHS, why they also did not want to know the number of bed spaces at each development.

It was agreed that the National Code Administrator should ask for more information before this request could be complied with.

Matters to Report

Two items were brought to the attention of members – policy guidance from the Chief Fire Officers Association on false fire alarms and some research published by CLG on HMOs and Use Class Orders.

Any Other Business

Tribunal Panel Meeting – It was reported that Members of the Tribunal Panel were due to meet immediately after the close of the CoM meeting and that any pertinent matters arising would be reported to the CoM in February 2009.

Date and Venue of Next Meeting

The National Code Administrator announced that the next meeting would take place on Friday 27th February 2009, at Unipol's offices in Leeds. Members requested a 10am start.

Charles Marshall offered Liberty Living's meeting facilities at their Bedford site for one of the other meetings to be held in 2009 – either June 25th or October 23rd.

The meeting closed at 12.35pm