

Minutes of the Committee of Management Meeting

held on Thursday 26th June 2008, at Beals Hotel, University of Hertfordshire

Present: Mr John Daniels (Chair), Mr Jason Baines (Derwent Living), Mr Michael Ball (ASRA), Mr Stuart Black (London Metropolitan University), Mr Martin Blakey (Unipol Student Homes), Ms Jane Carroll (Mainstay), Mr Jonathan Chandler (University of Greenwich), Mr Bob Crompton (Victoria Hall), Mr Heriberto Cuanalo (CRM for Mr Keith White), Mr Ian Fletcher (ANUK), Ms Jacqueline McNee (Unipol Student Homes), Ms Helen McNeely (AMOSSHE), Mr Paul Rowlinson (Sanctuary Management Services), Mr Alan Russell (UNITE), Mr Terence Treadwell (Nido Student Living), Ms Ama Uzowuru (NUS), Ms Geraldine Ward (University of Hertfordshire), Ms Sarah Wayman (NUS)

In Attendance: Mr Simon Kemp (National Code Administrator)

Apologies: Mr Mark Allen (UPP), Mr Chris Baines (Servite), Mr Jeff Childs (Welsh Assembly), Mr Gavin Duncan (Opal), Ms Ruth Hammond-Laing (LACORS), Mr Allan Hilton (Cass and Claredale), Mr Dennis Hopper (University of Leeds), Mr Paddy Jackman (CUBO), Mr Charles Marshall (Liberty Living), Mr Robert Russell (AoC), Ms Mary Stallebrass (CLG), Mr Terry Waide (NIHE), Mr Keith White (CRM)

The Chair opened the meeting at 12.50pm. He thanked the University of Hertfordshire for agreeing to host the meeting and for providing lunch. Members of the CoM were then asked to introduce themselves. The Chair welcomed the two new members present, Mr Ball (ASRA) and Ms Carroll (Mainstay) and thanked Val Nicholls (former ASRA rep) for her contributions at previous meetings and in reviewing the code for educational establishments

Minutes of the Previous Meeting

The minutes of the meeting held on February 7th 2008 were approved.

Matters Arising

Promotion of Code Membership on Websites – The National Code Administrator (NCA) tabled an abridged version of a survey, undertaken on behalf of Unipol Student Homes, which revealed that not all members of either the ANUK/Unipol codes or the UUK code were advertising their membership on their own websites. It was reported that 34% of ANUK/Unipol members referred to the codes, whilst for UUK it was 32%. However, the survey also showed that most of the larger accommodation providers signed up to both of the ANUK/Unipol codes were promoting their membership and that, as such, 75.5% of all the bed spaces covered by these two codes were included.

Membership and Verification Flowchart – Two revised versions of the flow chart depicting membership application and verification procedures were distributed. The CoM agreed to incorporate information about the Audit Panel granting full membership into the chart produced by LACORS, as it was a better design than the one produced by the NCA.

National Codes Conference – It was announced that the next conference for the National Codes would take place on Wednesday 19th November, 2008, at the Novartis Foundation in London. Members of the CoM were invited to suggest themes that would be of interest to staff working in large student developments and the following were given:

- Effectiveness of deposit returns under the TDS;
- Equality issues
- Using students and student unions to gain feedback on code compliance
- Sustainability and the eco campus

It was agreed that the programme, once devised, would be sent to members of the CoM.

Security Standards and the Home Office – It was reported that the one day event to discuss some national standards for security in student accommodation, originally planned for June 19th, has been rescheduled to take place in the last week of October. The NCA will circulate the date as soon as is known and invite members of the CoM to express an interest in taking part.

Tenancy Deposit Protection and Early Day Motion 1557 – Martin Blakey informed the meeting that concerns had been expressed by NUS and the Government about some accommodation providers attempting to ‘getting ‘round’ having to protect tenants’ deposits. One MP has tabled an EDM on the matter, which has attracted the support of 27 MPs, and it is possible that operators of all the approved codes will be required to tighten up procedures for the return of deposits for those not currently within deposit protection.

Bob Crompton (Victoria Hall) reported that they have decided to stop taking a deposit and Alan Russell (Unite) stated that they are also reviewing the situation. Jason Baines (Derwent Living) asked whether any members knew anything about a company calling itself Mydeposit.com, Ian Fletcher (ANUK) stated that this was the new name for the approved scheme operated by the National Landlords Association.

UUK Code and Protocol Agreement – The NCA reported that attempts to arrange a meeting with UUK to discuss the current protocol agreement have been unsuccessful.

The Rugg Review – The Chair reported that Dr Rugg’s review was due to report in the Autumn and that the Government were likely to produce another housing Green Paper as a result of both that and various other reviews that have been undertaken by the Law Commission.

Update on Code Membership

The National Code Administrator reported that the number of bed spaces covered by the Codes at the start of June 2008 was 107,153, an increase of 7.5% since the last meeting in February 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.

The increase in bed spaces has been partially off-set by a number of educational establishment members selling off some or all of their portfolio, and some of the smaller private providers have failed to re-join. However, a number of new applications have been received and are in the process of being processed. Assuming all of these applications are successful then the number of bed spaces covered will exceed 108,000.

The NCA announced that he had written to the private providers in Leicester, who were identified at the last meeting as possible new recruits, but no response had so far been received. Some follow-up communications will be attempted over the summer. Martin Blakey expressed the view that further expansion in membership was most likely to come as a result of investment funds buying developments and asking the companies that manage them on their behalf to seek accreditation via an approved Code.

Assessment and Verification

The National Code Administrator reported that 23 verification visits to 22 different providers had taken place since the CoM last met in February, taking the total number of providers who have received a visit to 40 out of the 45 members signed-up to the Code as of the start of 2008. It was proposed that the remaining 5 members, along with any new members signed-up during 2008, should receive a verification visit in either September or October 2008. The meeting felt that this might be too early in the autumn for providers and so it was agreed that the visits themselves not take place until mid October at the earliest.

The CoM were informed that the Audit Panel met on Monday 23rd June to discuss all of the 23 verification visit reports compiled from the latest rounds of visits. Mr Ian Fletcher (ANUK), a member of the Audit Panel, reported that the Panel had recommended all but two of the providers visited should be awarded full membership status. Further visits would be made to the two which were outstanding to check that the work they had been asked to do was taking place. He also informed the CoM that the Panel had discussed the idea of making it a Code requirement for providers to develop disaster plans and that this had been agreed. Ms Ama Uzowuru (NUS), also a member of the Audit Panel, reported that the Panel had agreed to involve local student unions in the verification process by inviting them to submit information about students' experience with the providers/developments that are to be visited. It was also reported that Mr Nick Stanton, formally of Mainstay and Unite, had been recruited to the team of verifiers.

The CoM was invited to discuss a proposal to include a requirement within the Code that Equal Opportunities are actively monitored by providers, an idea which

developed out of a verification visit to an existing provider. The provider concerned, whilst supportive of the idea in principle, did suggest that the requirements would need careful thought to ensure that the process was not too onerous. The CoM agreed the proposal.

Martin Blakey reminded the CoM that the original aim of the verification process had been to visit at least one development of every provider signed-up to the Code by January 2009. However, no policy had been agreed as to how frequently members should be re-visited. The following proposal was discussed and agreed:

All members should have one development verified not less than every two years and a sampling method of 1 in 5 of all developments should be chosen for verification on a three yearly cycle. In the event of any cluster of complaints, or where a previous verification has given rise to concern, the audit panel shall decide whether a greater number of a given member's developments should be verified.

All verification inspections will take place when developments are occupied and preferably when they are most fully occupied.

Where action plans are put into place following a verification visit the National Code Administrator shall decide whether any further visit is required to check that those plans have been actioned. Where they decide that a further visit is required then one will take place. Action plan visits can be undertaken when the building is fallow. In the event that a verifier has concerns about the National Code Administrator's decision regarding follow up inspections, then the verifier can raise this directly with the audit panel and the National Code Administrator will be guided by them in taking their final decision.

The CoM were also invited to discuss how much of the information resulting from a verification visit to a provider should be placed in the public domain via the National Codes' website. The meeting agreed that it would be appropriate for a general report of the Audit Panel's meetings to be posted on the website and that a list of how many bed spaces/providers have been visited (and when) should also appear. It was also agreed that the newly agreed verification visit policy and membership/verification procedure flowchart should be posted on the website. Additional materials relating to verification visits could be posted on the website only with the agreement of the CoM

Review of the Code for Educational Establishments

The NCA informed the meeting that CLG have formally been asked to approve the revised Code for educational establishments and a reply is expected before the next meeting of the CoM. It is anticipated that discussions about the content of the various bolt-on-options on matters such as security, sustainability and student care will commence soon.

It was reported that a launch date for the new Code had been agreed – July 24th – although there is to be no specific launch event. Instead, a leaflet will be emailed out to various stakeholders and interested parties – including ASRA and CUBO with details of the revised Code. Membership of the new Code will be free of charge until January 1st 2009. It was proposed that the fee after that be fixed for earlier joiners be discounted by 50%, to be met from within the 2009 budget with all remaining fees being increasing by an estimated 3%. This was agreed.

The CoM were also informed that Mr Colin Chapman and Mr Dennis Hopper had revised the ways in which the self-assessment questionnaire and verification procedures would operate in respect of the new code. The SAQ has been re-written to

reflect the changes to the content of the Code and educational establishments will be required to select from some new drop down boxes one of several standard responses to questions, as well as provide more supporting information to justify their selection. The scores that result will still provide the NCA with a radar chart indicating overall levels of compliance, but there will be more opportunity to follow-up on specific questions – both before and after the verification visit. The NCA gave a short demonstration of how the new process would operate and informed the CoM that it would be piloted over the summer.

In terms of the verification process itself, educational establishments are likely to be given the option of one of two options: either to be inspected by an external verifier as is currently the case, or to opt into a peer-to-peer review arrangement. It was stated that some training would need to be arranged for those members of staff who are nominated by educational establishments to act as peer-to-peer verifiers.

The CoM welcomed the revised processes and looked forward to the outcome of the pilot.

Code Marketing and Publicity

The NCA thanked members of the CoM for providing some feedback on the effectiveness of a previous advert that had been placed in *The National Student* and aimed at raising students' awareness of the Codes. It was reported that *TNS* had offered a 'deal' for the placing of 3 additional adverts and the CoM was asked to comment.

Ms Ama Uzowuru (NUS) questioned the effectiveness of the publication concerned (*The National Student*) in getting a message out to students in general and proposed instead that ads be placed in papers run by local SUs, where relevant, and/or the production of a syndicated article about the Codes which NUS would be able to distribute to editors of such papers. Stuart Black (London Metropolitan University) felt that because *TNS* was a national paper and the advert was about some national codes, then ads in local SU papers might be more expensive and not as effective.

A general discussion ensued about other possible mediums that could be made use of to advertise the Codes to students – both those already in the system and those who have yet to enter it – and parents; as well as how best to get the message across. It was agreed to convene a working party to discuss these and other matters in more detail and the following nominated themselves to take part: Jane Carroll; Mr Heriberto Cuanalo; John Daniels; Alan Russell; Terence Treadwell and Ama Uzowuru. The NCA was asked to convene a meeting of this group as soon as possible.

Research by Unipol Nottingham and CUBO

Martin Blakey gave two short presentations: one detailing some research that was recently conducted by CUBO on value for money and student satisfaction ratings with their accommodation, the other describing the experience of student in Nottingham when they were choosing private sector accommodation. It was reported that the CUBO research is available from their website, whilst full details of the Nottingham

survey are still awaited. It was agreed to inform members of the CoM when the latter report was made available.

2008 Annual Report to CLG

The NCA announced that the second annual report to CLG had been submitted on June 20th (copies of which were circulated by email in advance of the meeting). It was noted that although the original intention had been to make the report more promotional, including examples of good practice, CLG's deadline had made this impossible.

It was proposed that a short promotional report be produced, consisting of examples of good practice from as many providers signed up to the Codes as possible, and that it be presented as an attractively designed booklet to be ready for a launch in the first week of September 2008. Providers were asked to provide copy and/or photographs by August 8th. The proposal was agreed. The NCA was instructed to contact all members requesting material for inclusion.

Energy Performance Certificates

It was reported that Unipol Student Homes had recently held two, one day events on this subject and was willing to distribute the presentation given by CLG outlining what accommodation providers need to be doing in respect of these. Martin Blakey informed the meeting that there had been some recent discussions about whether the type of tenure was important, i.e. a tenancy or a license, and he reported that it had recently be confirmed that different forms of tenure made no difference to a provider requiring an EPC as the original European Directive made no reference to tenure type.

It was agreed that the NCA would distribute the CLG presentation to all members of the CoM via email.

Matters to Report

Voluntary Code for Internet Speed – The NCA informed the meeting that Ofcom were looking to regulate, via a voluntary code, the way in which companies are able to advertise broadband speeds. It was noted that some of this might be used for the development of benchmark standards in relation to overall broadband provision, although it was agreed that any such standards would need to go beyond broadband speeds and include other aspects of the provision.

Falsely Claiming Accreditation – The CoM were informed that, under the Consumer Protection from Unfair Trading Regulations (2008), it was an offence to claim to be a signatory to a code of conduct or to display a trust mark without authority. The maximum penalty for which is two years in prison.

Any Other Business

Smoking Policies – Martin Blakey asked for some feedback about whether providers had in place a smoking policy and most people have. He thought that it might be necessary to introduce some ‘smoking flats’ and reported that there was a ‘test’ case being taken through the courts which might mean alterations to any existing policies.

Dates and Times of Next Meetings

The National Code Administrator reported that the next meeting of the CoM would take place on Friday 17th October, 2008, starting at 10am (unless otherwise requested). The Local Authority Co-ordinating Body for Regulatory Services (LACORS) have agreed to host the meeting at the Local Government Association’s offices in Smith Square, Central London.

Dates for all three meetings in 2009 were also suggested – Friday 27th February; Thursday 25th June and Friday 23rd October – and members of the CoM were invited to inform the NCA of any known clashes with other conferences events planned for these dates. Venues are still being sought, although Unipol Student Homes have offered to host a meeting in their new board room and Sanctuary Management have indicated that it would be possible to hold a meeting at their facility in Worcester. Other offers would be welcomed, especially from members who have not yet hosted a meeting.

The meeting closed at 15.35pm