

Committee of Management for the National Codes of Standards for Large Student Developments

Minutes of Committee of Management Meeting

held at 11.00am on 1st June 2006 at Liberty Living, St James's Square, London

Present: Mr Neil Marsden (ANUK and Chair), Mr Jason Bains (Derwent Living), Mr Ian Bannister (UNITE), Mr Stuart Black (London Metropolitan University), Mr Martin Blakey (Unipol), Mr Andrew Cardy (UUK), Mr Jeff Childs (Welsh Assembly), Mr John Daniels (DCLG), Mr Gavin Duncan (Opal), Mr Ian Fletcher (ANUK), Ms Agnes Gautier (NUS), Mr Andrew Griffiths (CIEH), Mr Dennis Hopper (University of Leeds), Mr Paddy Jackman (UUK), Ms Veronica King (NUS), Mr Jeff Preen (Liberty Living), Mr Robert Russell (Association of Colleges), Mr Terence Treadwell (ASRA), Ms Anne-Marie Watkinson (Unipol), Mr Keith White (CRM)

In Attendance: Mr Simon Kemp (National Code Administrator), Ms Jean McWilliams (Home Office)

Apologies: Mr Tim Cobbett (UUK), Mr John Ripley (Victoria Hall), Mr Paul Rowlinson (Shaftesbury Student Housing), Mr Nick Stanton (UNITE)

The meeting began at 11.05am. The Chair thanked Liberty Living for hosting the meeting and invited Jeff Preen to make some 'house keeping' announcements. The Chair then asked members to introduce themselves.

Minutes of the Previous Meeting

John Daniels requested that the comments in the minutes suggesting that ODPM are encouraging Local Authorities to treat non educational providers in a favourable way should be changed to read that the department "stressed in advice to Local Authorities..." With this exception the minutes of the meeting held on 24th February 2006 were **APPROVED** as being a true and accurate record of that meeting.

Matters Arising

Membership Certificates

The National Code Administrator reported that it had not proved possible to arrange for a Government Minister to present the certificates to current members. It was proposed that these be sent to all members within two weeks of the meeting and that some consideration be given to a presentation of certificates for those who sign-up in 2007. **AGREED**

Housing Act Briefing for HEIs

As agreed at the last meeting, the briefing was held on April 28th. However, because the event had proved to be so popular, a second briefing was also organised and will take place on June 2nd. The National Code Administrator thanked John Daniels for hosting these briefings and his staff for the assistance they had given with the organisation of them. It was reported that another briefing on the Act had been arranged in conjunction with NUS, specifically for student unions, which will take place on June 15th in Manchester.

Energy Charging and Future Codes

Following on from the discussion at the last meeting about incorporating sustainability issues into future editions of the Code, including energy charging, the National Code Administrator reported that no members of the Committee of Management had been in contact with any ideas on how best to incorporate such issues. John Daniels reported that the Government is currently giving consideration to the development of energy certification, so the Codes will probably need to reflect such thinking in the near future. Members of the CoM were **INVITED** to give further consideration to these matters and to inform the National Code Administrator of their ideas.

ANUK/Unipol and UUK/SCOP Protocol

The National Code Administrator reported that the protocol agreement was signed by UUK/SCOP on April 21st 2006 and copies of the amended version of the protocol were included in the paperwork for members' information. It was **AGREED** that the protocol should be posted on the ANUK website.

ODPM/DCLG Approved Status

John Daniels was invited to introduce a paper outlining recent developments in respect of the awarding of approved status for the ANUK/Unipol Codes.

Following on from the discussions at the previous meeting, John reported that he had been advised it would not be possible to include the ODPMs logo on the codes as these contained aspects of crown copyright. However, it is not certain whether this will also be the case with the new DCLG. John re-iterated the fact that advice has been given to Local Authorities stressing the view that they should treat private providers who were signed-up to the Code in a favourable way, and this appears on the department's website.

John advised the CoM that any additions to the approved list of developments covered by the two ANUK/Unipol Codes for inclusion in a new Statutory Instrument would need to be submitted by June 30th 2006. He reported that any new SI would not come into force until the commencement date of October 1st, and advised that Local Authorities could use their power to grant temporary exemptions from licensing to any educational establishment which signs-up to the appropriate ANUK/Unipol Code by June 30th.

John reported that any major modifications to the content of the Codes would need to satisfy the requirements in section 233 of the Housing Act 2004 in respect of consultation and publication. This would mean a timetable of mid October 2006 for publication in an SI coming into effect from April 2007, and mid April for an SI coming into effect in October 2007. Minor amendments could be made, at the discretion of DCLG, at any time.

Finally, John reminded the CoM that the Government, in its response to the consultation on the Codes, had required the operators of all of the approved Codes to produce an annual review of the Codes. This should include areas for further improvement of the Codes, membership details and arrangements for future meetings of the Committee of Management. It was **AGREED** that this review report would be produced in time for the February 2007 meeting of the CoM.

John reported that he had been in contact with UUK to enquire as to what progress has been made in setting up their Code's management committee, but had not as yet received a reply. The Chair invited UUK's representatives at the meeting to give a progress report. Paddy Jackman stated that the management committee had not yet met for the first time and that no timetable had yet been agreed for any future meetings of it. Veronica King expressed NUS' concerns about the lack of progress in arranging for meetings of UUK's committee. Martin Blakey reported that Unipol had received some enquires from Local Authorities wanting additional information about the UUK Code, but were unsure who to contact. Paddy Jackman suggested that all such enquires should be directed to Tim Cobbett at UUK. The Chair requested a report back from the UUK reps at the September meeting of the CoM on their progress in developing management structures.

Gavin Duncan raised some concerns about the way in which different local authorities have approached the issue of HMO licensing, which has meant that similar types of large developments have been treated differently; some have been regarded as licensable HMOs and other have not. He wondered whether the CoM could devise a common position on which type of large developments should be licensed and which should not. Andrew Griffiths (CIEH) felt it might be a good idea and that it was possible to influence decisions taken by Local Authorities. Martin Blakey informed the CoM that some guidance on this matter had already been sought by Nottingham City Council and, on the basis of the response from the DCLG, a common policy could be devised. The Chair proposed that he, Andrew Griffiths and Martin Blakey met separately to produce a draft policy. **AGREED**

Meeting with the Welsh Assembly

The National Code Administrator welcomed Jeff Childs from the Welsh Assembly to the CoM and reported on a meeting that had been held with Jeff and some of his colleagues in May. It was noted that both of the ANUK/Unipol Codes have been translated into Welsh and versions of the Code have been produced that are applicable specifically to Wales. These will be submitted to the Welsh Assembly for approved status. The meeting also discussed the possibility of organising a briefing on the Housing Act 2004, and the approved Codes, for educational establishments in Wales.

Jeff Childs outlined the Welsh Assembly's timetable for the implementation of the Housing Act 2004 in Wales. He reported that they are unlikely to be able to consider approved status until July 6th at the earliest. Although most higher education establishments in Wales appear to have signed-up to UUK's Code, the picture was not so clear for further education establishments. He suggested therefore that more information should be made available and that a briefing, similar to those already held in England, would be one way of achieving this. He advised the CoM that some of the publicity about the Codes should be translated into Welsh and NUS **AGREED** to help with the translation of any such materials.

Update on Code Membership

The National Code Administrator introduced a paper setting out latest details of how many bed spaces were covered by the ANUK/Unipol Codes and which suppliers had recently joined.

It was reported that a total of 74,198 bed spaces were signed-up to both Codes, an increase of 4% since the last meeting of the CoM. In terms of the Codes separately, 58,252 were in developments not managed and controlled by educational establishments and 15,946 were in accommodation managed and controlled by them.

Four new suppliers had joined since the last meeting of the CoM, three of which were educational establishments. As none of these had two thousand or more bed spaces, it was not necessary to invite them to join the CoM.

No further interest has been expressed by higher education institutions in Scotland, which is not surprising as the Housing Act does not apply to Scotland. However, a number of private providers already operate in Scotland and some work is required to recruit some of these, especially those that have entered into partnership arrangements with educational establishments – such as Sanctuary.

It was reported that a small number of English higher educational establishments have not so far joined either the ANUK/Unipol or UUK Codes, these include the University of Chester, University of Central Lancashire and University of Gloucestershire. It was **AGREED** that the National Code Administrator make contact with these institutions to enquire as to whether they wished for further information about the ANUK/Unipol Code.

It was noted that Downing Developments were the one remaining large provider not to have joined the Code. Martin Blakey proposed that the National Code Administrator write one more time to Downing to ask them to clarify their position on whether they will or won't join the Code. The National Code Administrator reported that he had spoken to Cosmopolitan and that they were going to propose to their board that they should join the Code. No further contact has been had from Willofax and it was proposed that a similar approach be taken with them as with Downing.

Finally, it was proposed that a joint initiative be launched with UUK to promote the policy that educational establishments should only undertake partnership agreements with providers who have signed-up to the appropriate ANUK/Unipol National Code. The National Code Administrator asked for some guidance from UUK's representatives on how best to launch this. Paddy Jackman suggested it would be better to approach the educational establishments directly rather than simply hope that they would get the message from a UUK communiqué.

Assessment and Verification Methodology

The final report from Mr Colin Chapman of Bentley-Jennison on the outcomes of the pilot process was tabled and the CoM was asked to approve a timetable setting out the next stage the procedures for assessment and verification.

These involve sending all existing members a self-assessment questionnaire and asking that these be completed and returned within 6 weeks. Any new members joining after the date that the questionnaires are sent out will be subject to procedures for new applicants, which include seeking the agreement of other members of the CoM that they should be admitted. The self-assessment questionnaires will be analysed and a report will be made to an Audit Panel, which will be independent of the CoM and consist of representatives of the consortium members, professional bodies and an independent EHO. The Audit Panel will receive a report from the National Code Administrator on the outcomes from the self-assessment process and will decide whether or not to progress an application for membership. In addition to the self-assessment process, each member would be subject to a verification visit. These would take place once every three years, or earlier if promoted by concerns of the Audit Panel to the outcome of the self-assessment. A complaint might also trigger an earlier verification visit.

Martin Blakey proposed that the process as outlined be agreed and that the self-assessment questionnaires are dispatched on Monday June 19th. This was **AGREED**. Dennis Hopper suggested that the Audit Panel would require an audit of its processes for recommending verification visits. He also asked for further detail as to how the verification visits will be conducted. Martin Blakey reported that the Audit Panel would be trained to carry out the visits and would develop operational procedures to assist them conduct these.

Proposed Alterations to the Code

The National Code Administrator thanked the University of Leeds for submitting some proposed alterations to the Codes. Given the comments earlier from John Daniels it was **AGREED** that the discussion be informal and that no decisions be taken until the next meeting of the CoM in September 2006. It was further **AGREED** that the National Code Administrator prepare a standard pro-forma for the submission of amendments. This will detail which clause/s the proposed change/s refers to; details of other necessary alterations to other clauses if the amendments are accepted; reasons why it is proposed that the clause/s should change; how the proposed amendment/s addresses the problems identified; the purpose of the change.

Dennis Hopper was invited to outline the proposed amendments and the CoM to comment on the suggestions. The following issues in relation to the proposals were raised:

Clause 2.07 – Dennis was asked whether this proposal related only to the educational establishment Code and he agreed it did. It was **AGREED** that this clause be revisited and that something might need to be added to refer to the provision of travel arrangements. One suggestion was “arrangements to be reasonable, as agreed by the Audit Panel. NUS expressed some concerns about altering this particular clause too much and were invited to suggest a re-wording. It was also suggested that the focus should not simply be on the proximity of the alternative accommodation but also on whether the living experience is being kept in tact.

Clause 3.17 – The Chair raised some concerns about the proposed amendment. He felt that as Local Authorities would be expected to undertake risk assessments to determine amenity standards within kitchens they would not have standards for positioning of plug sockets to hand. Instead he proposed that this could be dealt with by a reference to the Housing Health and Safety Rating System.

Clause 4.20 – Jean McWilliams asked why security information should be given to occupants of ground floor rooms. In response the Chair stated that this was not meant to imply such tenants were the only ones to receive the information, but recognition that students living in ground floor rooms were more vulnerable.

Clause 5.02 – Dennis Hopper agreed to withdraw this proposal as he had not appreciated that the four week period only related to non-disputed deposit returns. Martin Blakey pointed out that the proposed Tenancy Deposit Protection scheme will need to be incorporated into the National Codes at some stage in the future. It was **AGREED** that Phil Alker be invited to the next CoM to address this matter in more detail.

Code Publicity and Awareness

The National Code Administrator reported that a proposal had been submitted to DCLG for a total of £15,000, over 3 years, to assist with publicising the Codes. Members of the OCG were asked to report on what use they have made of the materials produced so far and whether they require additional amounts. Assuming the bid to DCLG is successful, it was **AGREED** that one of the main items on the agenda of the September OCG is some proposals on additional publicity materials. Members of the OCG were also asked to supply the National Code Administrator with feedback on their own internal policies and procedures for publicising the Code, along with copies of any publicity they might have already produced

It was **AGREED** that the National Code logo be posted on the ANUK website so that members could download it for use on their own materials.

Any Other Business

NUS Accommodation Costs Survey

Agnes Gautier reported that NUS, in conjunction with Unipol, will be conducting an Accommodation Costs Survey. They are particular keen to include information from private accommodation providers in the survey and she would like feedback on whether providers would be able to do so on the questionnaire as currently devised. It is intended that they will collect the data in October and Agnes invited private providers to be represented on the advisory panel which has been set up to oversee the project.

Date of Next Meeting

A number of problems have arisen with the date that was previously agreed for the next meeting. Members of the CoM were asked to express a view on whether to keep to the same day and venue (Leeds), to move the meeting to London and/or to change the day. It was **AGREED** to keep the date as September 7th and meet in London. The British Property Federation kindly agreed to act as hosts.

The CoM was also asked whether the policy of holding half of the meetings in London and half outside should be retained. It was proposed that the majority of meetings be held in London but that the decision of where to meet be determined on a meeting by meeting basis.

The meeting closed at 1.10pm