

2008 Annual Report to Communities and Local Government (CLG)

Accreditation Network UK/Unipol Codes of
Practice of Student Accommodation Managed
by Higher Education Institutions and for
Student Accommodation Managed by
Undertakings subject to HMO Licensing



Introduction and Background

This is the second Annual Report to Communities and Local Government on the operation and development of the ANUK/Unipol National Approved Codes for student accommodation provided by educational establishments and for private sector providers.

The first annual report to CLG, produced in April 2007, focused mainly on the ways in which the ANUK/Unipol Codes for Large Developments were meeting with the objectives set out in the Government's consultation document concerning Approved Codes of Practice. These were that:

- the development of the codes should be an ongoing process
- an annual review would take place based upon regular monitoring of compliance with the codes' terms
- the review and progress of the codes will be guided by committees of management and that ongoing development will be guided by the protocol agreed between ANUK and UUK with a view to establishing convergence of the codes and, within three years, a unified code.

Although this second annual report will make reference to these requirements, its main focus is on activities that have taken place during the course of the year (May 2007 to April 2008) to develop and promote the codes.

Format of this Annual Report

The objectives set by the Government provide a very helpful framework when compiling an annual report and this report therefore includes the following sections:

- Membership Report 2007-2008
- Committee of Management Meetings 2007-2008
- Meeting the Challenges of the Second Year
- Publicity and Awareness Raising Activities
- Amendments and Additions to the Codes
- Assessment and Verification Process: Procedures and Visits
- Complaints and Tribunal Procedures
- Code Convergence and the ANUK/UUK Protocol
- Conclusion

Section 1: Membership Report 07/08

The total number of private providers and educational establishments signed-up to both of the ANUK/Unipol codes as of 30th April 2008 was 46. Although this was only four more members than the previous year, the actual total number of new providers joining since May 2007 was eight – four previous members did not re-join because they were no longer managing student accommodation.

In addition to the eight new providers who had joined, applications have been received from a further four providers, who by April 2008 had still to complete the essential entry requirement of returning the self-assessment questionnaire.

In terms of the total number of bed spaces covered by both codes, the total at April 30th was 107,153 bed spaces. This was 12,464 more than in May 2007. This means an overall increase on the previous year of 14%. As well as reflecting the bed spaces added by new members, this increase also stems from the growth in the number of developments being managed by existing code members.

The majority of the bed spaces are concentrated in the code for non educational establishments, with only 16,648 belonging to educational establishments (15.5% of the total).

Some limited shrinkage has occurred in the number of educational establishment bed spaces as some educational institutions have reduced the number of bed spaces that they manage, either by demolition, rationalisation or sale to an outsourced provider. A general trend within the sector is seeing a general decline in the number of bed spaces controlled and managed by educational institutions, with more bed spaces being operated through nominations and other partnership agreements with private providers.

The overall geographical spread of the developments belonging to the codes reveals that 50 different towns and cities have a least one building signed-up to either code (5 more than in April 2007). A total of 391 large student developments in the UK are covered by either of the ANUK/Unipol; although most of these are in England (366) there are 8 in Wales and 17 in Scotland.

Section 2: Committee of Management Meetings 2007-2008

The Committee of Management (CoM), which is comprised of all the codes' key stakeholders, has met on three occasions since May 2007: 7th June, 5th October and 7th February 2008.

Attendances have been good with 19 attending on 7th June 2007, 17 attending on 5th October 2007 and 20 attending on 7th February 2008.

All of the places allocated to UUK remained vacant after a protracted period of non attendance, and again, their lack of engagement is disappointing.

The most recent meeting was hosted by Liberty Living in their prestigious new offices at 30 St Mary Axe (AKA the Gherkin). In addition to these three meetings, a one-day conference took place in December, aimed primarily at staff working in developments covered by the two ANUK/Unipol Codes.

Membership of the CoM has altered since April 2007, with a significant turn-over in personnel representing both the providers and other interested groups. The current members are:

Mark Allen (UPP Projects Ltd);

Jason Baines (Derwent Living);

Chris Baines (Servite) – joined in June 2007 as a result of Servite registering more than 2000 bed spaces;

Michael Ball (ASRA) – replaces Val Nicholls from June 2008, who in turn replaced Terence Treadwell in June 2007;

Stuart Black (London Metropolitan University);

Martin Blakey (Unipol Student Homes);

Jane Carroll (Mainstay Group Ltd) – replaced Nick Stanton from February 2008, who in turn replaced Graham Donaldson in June 2007;

Jonathan Chandler (University of Greenwich);

Jeff Childs (Welsh Assembly Government) – requested in June 2007 that his membership be downgraded to observer status;

Bob Crompton (Victoria Hall);

John Daniels (Chair) – appointed in October 2007 to replace Neil Marsden;

Gavin Duncan (Opal Group);

Ian Fletcher (ANUK and The British Property Federation) ;

Ruth Hammond-Laing (LACORS) – co-opted onto the CoM in June 2007;

Allan Hilton (Cass and Claredale);

Dennis Hopper (University of Leeds);

Paddy Jackman (CUBO) – formally represented UUK until June 2007, was then co-opted as the CUBO representative in October 2007;

Charles Marshall (Liberty Living);

Jacqueline McNee (Unipol Student Homes);

Helen McNeely (AMOSSHE) – replaced Claire Powrie in June 2007;

Paul Rowlinson (Sanctuary Management Services);

Alan Russell (UNITE) – replaced Nick Stanton in June 2007;

Robert Russell (AOC) – requested in October 2007 that his membership be downgraded to observer status;

Mary Stallebrass (CLG) – replaces Kirstin Blagden from June 2008, who in turn replaced John Daniels in October 2007;

Terence Treadwell (Nldo) – co-opted to the CoM in October 2007

Ama Uzowuru (NUS) – replaced Veronica King in October 2007;

Terry Waide (Northern Ireland Housing Executive) – co-opted onto the CoM in June 2007;

Geraldine Ward (University of Hertfordshire);

Sarah Wayman (NUS) – replaced Agnes Gautier in June 2007;

Keith White (CRM)

The following members of the CoM have resigned since June 2007:

Andrew Cardy (UUK);

Tim Cobbett (UUK);

Andrew Griffiths (CIEH);

Neil Marsden (ANUK)

The CoM continues to be hosted by members free of charge and their help in enabling meetings to take place should also be recorded here. Thanks go to the University of Leeds; University of Greenwich and Liberty Living for hosting the three most recent meetings

Section 3: Meeting the Challenges of the Second Year

The last annual report set a number of challenges for the second full year of the codes operation. These included:

1. inclusion of sustainability issues into the body of the codes
2. development of a national security standard, set with the Home Office
3. incorporating into the codes the implications of the Tenancy Deposit Protection Scheme
4. undertaking a review of what constitutes "controlled and managed" by educational institutions (where there are initial indications the codes are offering protection to private sector suppliers under the umbrella of an educational establishment).
5. agreeing the cycle of self assessment and verification visits for the future and the development of a cyclical revisiting of suppliers in the future
6. increasing membership to a target of 110,000 bed spaces by April 2008
7. raising student and parental awareness of the codes and their value
8. providing training for suppliers' staff and establish a regular programme

Although some of these challenges have either been met (or are in the process of being so), further work is ongoing on each of them.

Sustainability and National Security Standard – The review of the educational establishment code (see section 5) proposed the creation of some stand-alone benchmark standards covering both of these areas. It is envisaged that these will be bolted onto the baseline requirements of the revised code and that they be endorsed as good practice by relevant external bodies.

A number of meetings have been held with NUS Services Limited (NUSSEL) with a view to building on their experience with their scheme that encourages and rewards sustainability progress in respect of students' union buildings. An important part of rolling out sustainability improvements to existing buildings is not only to improve the energy efficiency of those buildings but to change the behaviour and attitude of the residents living there in respect of their use of energy. The NUSSEL scheme has a particular attraction in respect of making student behaviour and education an important part of a consumer-friendly sustainability audit coupled to an awards scheme.

Discussions are ongoing and it is hoped that a scheme will be available for discussion by early 2009 and that code members will give this their support to come into operation later that year.

Turning to security standards, the CoM have held a number of preliminary discussions on a number of proposals fielded by Police representatives and have a general view of a direction forward. A preliminary meeting will take place in October 2008, hosted by the Home Office, to discuss the feasibility of developing some national security standards; this will include key personnel from the sector as well as the Police.

Tenancy Deposit Protection – NUS, Unipol and ANUK all supported the introduction by CLG of clauses bringing the refund of deposits timescales in line with the Tenancy Deposit Protection Scheme for those students who were not already covered by the Deposit Protection Scheme. Educational establishments tend to let their rooms on other kinds of tenancy agreements and so their deposits are not subject to the rigorous timescales imposed by TDP. In the absence of direction from CLG, new clauses have been inserted into the

revised educational establishments code. Both codes are now in alignment with the TDP timescales for the return of tenants' deposits.

Review of the 'Controlled and Managed' Test – A request was made to CLG to review this test because some buildings appeared to be meeting the test but were clearly neither controlled or managed by educational institutions. This test clearly needs overhauling, in partnership with CLG and UUK, within the next year.

Since the departure of Tim Cobbett, the desk officer dealing with the UUK Approved code has been contacted, however, despite several attempts to arrange a meeting with him this has not yet taken place.

Self Assessment and Verification – One of the major achievements of the codes this year has been in this area and Section 6 provides extensive details of the progress made with self-assessment and verification to date. The CoM is committed, towards the end of the third year of operation, to revise the self-assessment questionnaire, in the light of experience and future needs and to make it more user-friendly. A further review will establish how often verification visits should occur after the code properties have all been verified under the first tranche of inspections.

As the codes' brand became more important, and existing members expressed a desire to protect its integrity, the CoM were keen to tighten entry requirements and agreed at its October 2007 meeting that all new applications for membership should be dependent upon the successful completion of the self-assessment questionnaire. It subsequently decided that only provisional membership should be awarded to new applicants, with full membership status depended on the outcome of the verification visit, to be conducted within 6 months of the application being made. This new procedure is now operational.

Increased Membership – As shown in Section 1, membership numbers have increased since last year and the total number of bed spaces incorporated by both codes is not far off the 110,000 suggested in the 2007 Annual Report. Some bed spaces are in abeyance awaiting refurbishment following stock transfers that, had they been included, would have seen this target met. They will return next year and numbers are expected to increase to 117,000 in 2008-2009.

The National Code Administrator has identified some possible new sources of membership from within the private sector; it is also hoped that the new code for educational establishments will lead to increased membership rates.

Raising Student and Parental Awareness and Making Use of Suppliers Website – As can be seen from Section 4, some efforts have been made to increase consumer awareness of the existence of the codes, but more is required. The same section also includes details of a recent survey which reveals that not all members of the codes currently advertise their membership on their own websites, despite the general availability of the National Code logo.

Training for Suppliers – Unipol Student Homes ran a number of training events for suppliers signed-up to the code in 2007, either as in-house events or as part of its general training programme. The events were aimed specifically at staff who manage large developments on a day-to-day basis, with emphasis placed on how the codes impact upon their work.

A number of the larger suppliers took part in these, but there remains scope for running further courses – especially for providers with only one or two sites/developments.

Section 4 – Publicity and Awareness Raising Activities

Newspaper Adverts - As with the previous year, a number of adverts were placed in *The National Student* newspaper and were aimed at making students more aware of the existence of the codes and what their aims are. In addition to these adverts, one was placed in two different publications *The Times Higher Education Supplement* and *The Education Review* which was intended to highlight which providers had signed-up to the two codes.

Though advertising in the THES and TER, ANUK received a number of approaches from other publications asking whether there would be any interest in advertising with them. One of these was *The Parliamentary Monitor*, which produces a publication that is circulated at all the Party Political conferences which take place in the early autumn. This might prove to be a useful outlet for widening the interest in the work of the codes and, at the same time, inform parents of both potential and existing students about the existence of the codes.

Website Advertising - Unipol commissioned some research in January 2008 to establish the extent to which members of the two ANUK/Unipol codes were making use of the National Code logo on their own websites and/or were making it clear in their publicity material the fact that they are members. The resulting report made interesting reading as it showed some examples of very good practice and evidence that a large number of the smaller providers signed-up to the codes were clearly not taking advantage of advertising their membership of the relevant code.

All of the larger private providers make some reference to membership of the ANUK/Unipol code somewhere on their website. The best example was Liberty Living, who made reference to it in a section entitled 'Why Choose Liberty?' and there was a link to a downloadable PDF of the code on every page of the site. In addition, they include the National Code logo prominently on publicity materials (see appendix 2a). Other private providers are including the National Code logo on all letter heads and compliment slips (Mainstay) and had up-dated their marketing materials to promote their membership of the code (Park Lane).

With the exception of the University of Leeds, which the report identified as an example of good practice, most of the members of the code for educational establishments made no reference to the code on their websites. There is an opportunity to address this situation with the re-launch of the educational establishment code later in 2008 (see Section 5), as the revised code makes it a requirement for all members to make reference on their websites to membership of the code. Some additional work will also be required with the smaller providers who, on the whole, are not making use of the opportunity to display the National Code logo on their websites.

ANUK/Unipol has drawn shortcomings in this area to the attention of the suppliers concerned and a further audit in August 2008 will seek to ensure that identified shortcomings have been addressed.

The same survey also saw only around 33% of educational establishments under the UUK code make reference to their membership and so additional effort is also required by them. UUK were sent a copy of the survey through our partners NUS.

Section 5 – Amendments/Additions to the Codes

Changes to the Wording of the Codes - Only one very minor alteration was made to the content of the codes between April 2007 and March 2008. This entailed amending the wording in clause 2.04 from:

All tenants are provided with a written copy of the letting agreement at the time they sign that agreement or at the time that they pay any booking fee or deposit.

To read

All tenants are provided with a written copy of the letting agreement at the time they sign that agreement or at the time that they pay any booking fee or deposit. For tenancies entered into on line the tenants should be able to download the full terms and conditions of the agreement at the time they make the application and this option should be made clear to them. Paper copies of any agreement would be provided to these tenants should they request them in writing.

Review of the Educational Establishment Code - At the meeting of the CoM in October 2007 it was agreed that a major review of the content of the code for educational establishments be undertaken. A review panel, chaired by Mr Dennis Hopper from the University of Leeds, was set up and was charged with the task of completing the review by the February 2008 meeting of the CoM.

The review was prompted by a view that the existing code for educational establishments was too rigid and prescriptive in certain respects and that there had been little input into its development from people actively involved in managing student accommodation within that particular sector.

Four specific aims were identified for the review:

- To make the code simpler and clearer
- To reposition the code as a viable alternative to the UUK Code
- To move the content of the code away from specifying precise physical standards towards management requirements
- To develop specific areas of best practice to differentiate educational providers from the private sector

In undertaking this review, wide and inclusive consultation was considered essential. The review panel consisted of representatives from the Association of Student Residential Accommodation (ASRA); College and University Business Officers (CUBO); The National Union of Students (NUS); the Association of University Directors of Estates (AUDE); Local Authorities Coordinators of Regulatory Services (LACORS); Unipol and individuals from various higher education institutions.

The consultant engaged to prepare the drafts of the revised code, Mr Colin Chapman, was also included on the review panel. The review panel met on two occasions, once in December 2007 and then in February 2008, to discuss various drafts produced by Mr Chapman. Members of the panel were also invited to submit comments via email between the meetings.

The amended code, as agreed by the review panel, differs in a number of ways from the previous version but much has also been retained. Some new equal opportunities clauses have been incorporated and the clauses relating to late running buildings have been broadened out. The sections on student care and state of repair have been adapted and most of the sections that fall within the heading of 'During the Tenancy' have likewise been revised; most significantly, the clauses relating to mail delivery and laundry facilities have become less prescriptive. The only completely new addition to the revised code is a specific requirement that members will undertake tenant satisfaction surveys on an annual basis: a requirement that might also become applicable to other private providers in the future.

Although agreement has been reached on the content of the revised code, the final aim of developing best practice areas remains to be addressed. The new code identifies the areas that it might be possible to devise some specific standards for, which it is intended would be higher than those set down by the 'base' code. The review panel has proposed the creation of a 'star rating' system for these – which it is intended would be 'bolted onto' the base code at a later date - the content of which would be based on input from 'expert' external bodies. For example, one of the areas that that would lend itself to the development of higher benchmark standards is security and therefore the Home Office – who are keen on the idea of a national standard for student accommodation – would be an obvious body to work on this with. Another of the best practice areas identified relates to student care and the Association of Managers of Student Services in Higher Education (AMOSSE) have already agreed to lead on developing some standards. The remaining two areas suggested for the 'star rating' system are sustainability and community interface, and both still require possible partner organisations to be identified.

The final element of the revised code that still is being worked upon is how the self-assessment and verification procedures will be operated. Currently all members of the code for educational establishments are required to complete the same self assessment questionnaire as the private providers and are inspected by the same team of verifiers who undertake visits to all developments covered by both codes. The review panel agreed to consider a different process whereby the self assessment questionnaire would be re-written to accommodate the new requirements and a team of specialist verifiers – drawn from educational establishments signed-up to the revised code – would peer review compliance with the code. One other option might be to permit members of the code to choose between external inspection or peer review.

This new system of verification is to be piloted over the summer of 2008 so that the whole code is fully operational by October 2008.

Section 6 – Assessment and Verification Procedures

Self-Assessment Questionnaires - All members of the codes have completed the self-assessment questionnaire (SAQ). However, and at the behest of the CoM, since October 2007 all new applicants have been required to complete the SAQ before their membership can be considered. This has resulted in a small number of applicants not being awarded membership, or having their membership terminated. ANUK/Unipol will draw the attention of the relevant Local Authorities to this for any licensing implications this may have under the Housing Act 2004.

It was always the intention to review the content of the SAQ once all members had been asked to complete it for a first time. This was to take account of their experiences of the process and see whether some questions were misleading or ambiguous, as well as reflect changes that have been made to the content of the codes. This review is likely to take place later in 2008 and should be ready by the start of the 2009 membership period.

Verification Visits - One of the main achievements of the codes in the past year (May 2007 to April 2008) has been the completion of three rounds of verification visits which covered a total of 35 different members and 41 developments.

The first round of visits took place in May 2007 and focused on providers operating in Bradford, Leeds, Leicester and Nottingham. In October and November 2007 the focus moved to providers operating in London and Hertfordshire. The third round of visits took place in March 2008 and covered a much wider geographical area than the previous ones, with visits to providers as far a field as Newcastle in the north and Chichester in the south.

A fourth round of visits are currently being planned for May 2008, which will concentrate on verifying the remaining on-going members of both Codes who have not as yet been visited, as well as a small number of new members who joined at the beginning of 2008.

All providers visited are sent a copy of the verifier's report – detailing whether or not any action or observation points need to be addressed. The National Code Administrator records the outcomes of each visit and asks all providers to report how they will be dealing with such issues and a monitored action plan is then agreed.

The action plan has been a successful outcome of the verification process, demonstrating measurable improvement where shortcomings have been identified or where recommended improvements could be made. Members have been both helpful and keen to implement improvements and many use the verification process as a management tool.

Audit Panel - The audit panel, designed to oversee the work of the verifiers and to receive copies of all verification visit reports, met on two occasions between May 2007 and April 2008 – once in August and once in December. Each of the meetings were convened to discuss specific rounds of verification visits and each report was analysed in detail. A third meeting will take place in June 2008 in order to address reports from visits undertaken in 2008.

The membership of the audit panel as reported in the 2007 annual report has altered. Mr Andrew Griffiths has been replaced as the Chartered Institute of Environmental Health (CIEH) representative by Dr Stephen Battersby, the current President of the CIEH. Ms Sarah Mitchell, from Shelter (who previously represented the National Union of Students) has been replaced by Ms Sarah Wayman of NUS. Most recently of all, a new member of the verification team has been recruited – Mr Nick Stanton – (formally of UNITE and the Mainstay Group Ltd) who will be co-opted as a member of the panel.

Section 7 – Complaints and Tribunal Procedures

Code Complaints - Last year's annual report noted that a total of ten complaints had been made to the National Code Administrator since January 2005 about providers signed up to the code, although only one of those was considered to be a 'formal' complaint – in that it had already been subject to the providers own internal complaints process and had not been resolved. Since the publication of the 2007 report, a further eight written complaints have been submitted to the National Code Administrator, although only one of these can be considered to constitute a 'formal' complaint.

In many ways it might be better to classify the communications from tenants of code providers as enquiries rather than complaints, as in most cases the concerns are being raised before or at the same time as they have been brought to the attention of the provider (and often before they have triggered the provider's own internal complaints procedures).

For example, a tenant of a development in Leeds (managed by the largest of the private providers) wrote to the National Code Administrator claiming that the local managers had not, in his opinion, responded quickly enough to a dispute concerning completion of repairs. He was advised to refer the matter to the provider's head office, as it was clear he had not already done so, and then to make a formal complaint to the National Code Administrator if the provider failed to reply. No further contact was made.

Even in circumstances where a formal complaint has been made and matters have already passed through the provider's own procedures, it does not necessarily follow that the issue will need to be referred to the Chair and the Tribunal Panel in order to be resolved.

For example, the National Code Administrator received a letter of complaint from a person who alleged that she had been misled by the way in which a provider had advertised procedures for returning monies in circumstances where a room offer was not accepted by a given date. She provided copies of her correspondence with the provider which clearly revealed the fact that she had triggered the internal complaints process but, in her view, had not achieved any resolution.

The National Code Administrator took the view that this complaint should be referred to the Chair of the tribunal panel for determination, however, shortly after this decision had been made the complainant emailed the National Code Administrator stating that the provider had made a monetary offer to settle the matter and that she had decided to accept it rather than continue with the complaint.

Although it can be argued that there has been a noticeable increase in the number of complaints/enquiries being made on an annual basis – one in 2005, five in 2006, five in 2007 and 7 in 2008 (so far) – there has not been the substantial surge that was anticipated in the last annual report. This is likely to be a result of the fact that many students are still not aware of the codes and the fact that they have a complaints procedure linked to them, which is why it is important to ensure providers do make use of available publicity materials and promote their membership (and what it means for tenants) on their websites.

ANUK/Unipol have also established good links with the Office of the Independent Adjudicator (OIA) who are similarly concerned that complaints against accommodation providers within educational establishments are disproportionately low. ANUK/Unipol and the OIA will work together in the forthcoming year to highlight the complaints system and to ensure that those who have a complaint know of their rights to access it.

De Montfort University's formal complaint against Victoria Hall: Chair's Adjudication - The only formal complaint received to date that has been referred in full to the Chair (this was mentioned briefly in the 2007 annual report), concerned a dispute between the university and Victoria Hall over alleged breaches of fire safety regulations/provisions within a development that was managed by the private provider but which accommodates DMU students on a nominations agreement. Because the issues surrounding the complaint were of a technical nature, the Chair requested some specialist guidance from the local fire authority and local

authority environmental health professionals. The Chair then issued an adjudication based on this information.

A copy of the Chair's full adjudication is included as appendix 4, but in summary he took the view that the complaint could not be upheld as there was no evidence to support the claim that the provider was in breach of any locally agreed fire safety standards. He was also of the opinion that DMU should not have used the codes' complaints procedures to pursue a contractual dispute with a private accommodation provider.

Complaints Tribunal Panel - Details of the membership of the panel were included in the 2007 Annual Report, however, there have been a number of alterations to the personnel involved since then. Ms Veronica King from the National Union of Students has been replaced by Ms Ama Uzowuru, who was elected as the Vice President (Welfare) for 2007/08. Mr Andrew Nightingale, the nominee of UUK, may also need to be replaced if the protocol agreed between ANUK and UUK is altered in such a way as to require it.

Given the paucity of formal complaints to date it has not been necessary to convene a specific hearing of the tribunal panel. However, as required by Standing Orders, the panel is required to meet annually and the last meeting took place in June 2007. The meeting received a report from the National Code Administrator on the number and type of complaints that had been received, it was also asked to comment on the Chair's adjudication on the formal complaint issued by De Montfort University against Victoria Hall. It is expected that the panel will again hold its next annual meeting in June 2008.

Section 8 – Code Convergence and the ANUK Protocol

Convergence - The chances of convergence in April 2008 are no greater than they were last year. The decision taken at the November 2007 meeting of the UUK Code's Governance Board to approve a proposal to cede administrative responsibility for the code to the College and University Business Officers (CUBO) was welcomed by ANUK. The transfer of responsibilities for day to day administration of the code to an organisation with a wealth of expertise from within the sector has led to a greater dynamism and, as a result, relations between the codes have significantly improved.

Interestingly, developments within the ANUK/Unipol Code for educational establishments (particularly the proposal to devise a 'star rating' system for specific aspects of management) offers an opportunity for greater collaborative working between the two Codes. Although this would not in itself constitute convergence, assuming these aspects of management were to be assessed by 'experts' external to the two Codes then the managers of accommodation controlled by educational establishments would be judged on exactly the same basis, regardless of which code they were signed-up to.

ANUK/Unipol attended all of the meetings held by UUK in respect of the management of their code.

Section 9 – Conclusion

Achievements in the Second Year:

- Membership of both the ANUK/Unipol codes has increased and now exceeds more than 100,000 bed spaces.
- An increasing number of 'smaller' private providers, often with just one development in one geographical location, have joined the non educational establishment code. There has also been a modest increase in the number of educational establishments joining the appropriate code for them.
- The educational establishment code has been reviewed and revised.
- Adverts highlighting the existence of the codes have been placed in the national press
- The verification process has nearly completed its first cycle and the audit panel that oversees the process has begun to operate effectively.
- Some training on the codes has been delivered to providers, specifically aimed at staff managing developments covered by the codes

Challenges for the Third Year

- To recruit more educational establishments to the revised ANUK/Unipol code
- To establish an Annual ANUK/Unipol Codes Conference as a significant training and networking opportunity for the accommodation sector
- To review the self-assessment questionnaire in preparation for asking all members to complete a second SAQ in line with the requirement that such assessments are undertaken at least once every 3 years (and possibly more frequently)
- To improve the coverage of code publicity and to ensure that all members, as a matter of course, are making reference to the fact that they are a member of an approved code in all their materials and on their websites
- To develop benchmark standards in respect of enhanced security, sustainability and other issues that are important in the management of larger developments
- To begin a review of the ANUK/Unipol code for private sector providers and bring this in line with ANUK's four core values that underpin the principles of accreditation
- To continue the assessment and verification procedure, building upon the expertise and success of the current scheme in ensuring verification is used as a positive management tool to enhance standards.

Appendix One: The National Codes Budgets 2005-6, 2006-7 and 2007-8.

Description	Actual 2005/2006 £	Budget 2006/2007 £	Budget 2007/2008 £
Income			
Funding	10,000	0	5,000
Fees income	55,631	70,060	69,000
Total Income	65,631	70,060	74,000
Expenditure			
Share of general exp – Unipol offices	5,624	7,465	8,640
Share of staff costs	25,366	28,595	31,984
Travel & motor expenses	176	3,700	1,750
Communications and publications	11,348	5,750	6,150
Merchandising	0	2,750	2,750
Miscellaneous	788	10,000	2,500
Consultancy	23,613	10,000	11,250
PR	0	0	8,000
Tribunal Expenses	1,154	0	0
VAT	(4,384)	0	0
Depreciation			
Computer equipment	181	275	248
Fixtures and fittings	651	680	706
Total Expenditure	64,517	69,215	73,977
Code of Standards Surplus/(Deficit)	1,114	845	23

Unipol's financial years run from 1st August to 31st July.

Appendix 2: Advertisement that appeared in the Times Higher Educational Supplement and The Education Review



wish to thank the accommodation providers below for their membership of the ANUK/Unipol Code for Larger Student Developments

and their commitment to ever improving standards of housing management



they are helping to lead the way in student accommodation standards in a voluntary, transparent and accountable system

CODE OF STANDARDS FOR LARGER DEVELOPMENTS

The ANUK/Unipol Codes are approved by the Government under Section 233 of the Housing Act 2004 and further details of the Code itself, its verification systems and the independent complaints and tribunal system for use by students can be found at www.anuk.org.uk. Further information can be obtained from info@anuk.org.uk or telephone the National Codes Administrator, Mr Simon Kemp on 0113 205 3406 or Ms Sarah Wayman at the National Union of Students on 0871 221 8 221.

Unipol Student Homes is a company limited by guarantee, registered in England and Wales No. 3401440. Registered Charity No.1063492 VAT registration No. 698 8456 49. **NUS** is a voluntary membership organisation comprising a confederation of local student representative organisations in colleges and universities throughout the United Kingdom and Northern Ireland which have chosen to affiliate and which pay a membership fee

Appendix 2A: Liberty Living's Publicity Material

Find yourself at Liberty



Who are LibertyLiving?

LibertyLiving is a leading provider of student and key worker accommodation throughout the UK, we currently provide over 10,000 beds in 14 cities across the country. LibertyLiving works in conjunction with universities and other representative bodies to provide modern, attractive and affordable accommodation to the growing student and key worker population in the UK.

Management & Security

Your security and well being is extremely important to us; LibertyLiving has created a management model that puts emphasis on the General Manager and their team to be responsible for the running of the site and the relationships with tenants and the university agencies that support those tenants.

Key features

- > UK locations nationwide
- > Modern, attractive and affordable accommodation
- > Key city centre locations close to universities
- > FREE personal contents insurance
- > 24-hour security
- > Comprehensive CCTV coverage
- > Electronic entry systems
- > Manned reception areas
- > On-site management and maintenance teams
- > Member of the ANUK National Code of Standards

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for Students

- > Aberdeen
- > Bedford
- > Birmingham
- > Cardiff
- > Coventry
- > Glasgow
- > Leeds
- > Leicester
- > Liverpool
- > London
- > Manchester
- > Newcastle
- > Nottingham
- > Sheffield



A member of the
CODE OF STANDARDS FOR LARGER DEVELOPMENTS



Apply online
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The image shows the Liberty Living exhibition stand in a trade show setting. The stand features the same content as the digital version above, including the headline 'Find yourself at Liberty', the 'Who are LibertyLiving?' section, the 'Management & Security' section, the 'Key features' list, the list of 14 cities, the UK map, and the 'Apply online' information. The stand is blue and white, with a curved top and a curved base. A man is visible behind the stand, and a table with a Liberty Living logo is in the foreground.

Appendix 3: Unipol's Verification Visit Report



Verification visit response

Page number 1 of 9

Name of providing organisation	Location	Reference
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Action Note number - A1

Aspect of the code

Letting

Action point

A sample of properties was selected at the head office and the development and signed contracts were requested for the tenants shown to be in residence from the housing management system. A significant percentage of tenant contracts were either not available for review within the central filing system, or the tenancy had been superseded without the housing management system being updated.

It is recommended that the tenant contracts filing system is reviewed and updated as necessary to ensure that copies of up to date contracts for all tenants are available.

Verifier signature	Accepted by provider	Date
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Planned action

An internal review has resulted in a new system being implemented for the filing of tenancy agreements. A separate single filing location for all tenancy agreements has been established in the finance office.

None of the contracts identified at the visit were missing and were all located on staff desks. The issue also highlighted that staff consulted the original document because of inaccuracy of data input which has revealed another issue that has now been resolved by more thorough checking of data input.

Completion date

All continuing and new contracts to be filed in separate location by 1 October 2007.

Action verified as complete	Date
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Verification visit response

Page number 2 of 9

Name of providing organisation	Location	Reference
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Action Note number – A2

Aspect of the code

Tenancy

Action point

Requests for maintenance are also recorded within the housing management system however a significant number of requests have not been recorded as completed within this system although other records (i.e. contractor invoices) were available to show that these requests had been carried out. In addition a gas combi boiler at had not been tested due to a faulty gas valve and although an invoice for the replacement and retesting of this valve was available the new test certificate had not been placed in the gas safety file.

It is recommended that the housing management system is reviewed and all completed maintenance work is recorded appropriately and training in the system provided to reinforce the need to update the records to reflect the status of the maintenance requests. In addition certificates for the re testing of appliances should be retained within the main test certificate files.

Verifier signature	Accepted by provider	Date
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Planned action	Completion date
Housing Management staff have been reminded of the importance of noting complete jobs as complete on the Housing Management System and this will be stressed in any future training.	1 September 2007
The Health and Safety Officer has had the gas certificate issue drawn to his attention and will review all outstanding work and new certificates on a monthly basis before filing takes place.	

Action verified as complete	Date
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Verification visit response

Page number 3 of 9

Name of providing organisation	Location	Reference
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Observation Note number – 01

Aspect of the code

Letting

Action point

It was noted that on several occasions females had been allocated to flats nominated for male occupancy, and vice versa. It is suggested that a drop down alert is incorporated in the allocation system to draw attention to this during the University's allocation process.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
<p>This is a matter for College of _____ and their use of the joint allocation system with _____ The matter has been brought to their attention.</p>	<p>1 August 2007</p>

Action verified as complete	Date
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Verification visit response

Page number 4 of 9

Name of providing organisation	Location	Reference
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Observation Note number – 02

Aspect of the code

Pre tenancy

Action point

It is also recommended that a target time is set for the entry of data into the housing management system. This will ensure that data is entered within an appropriate time period and check points would reveal any issues to enable appropriate action to be taken. This is particularly relevant with the forthcoming deposit protection scheme which will require information to be processed within preset times.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
<p>Part of the response to action point A1 has been in order to improve data entry and target times. The Deposit Protection Scheme now in place requires the deposit protection company used to be informed within 14 days and the lodging of that information requires that all information be input on the Housing Management System. This timescale is met by the current system and no change to the current system if felt to be necessary as this is an acceptable time limit.</p>	<p>Completed</p>

Action verified as complete	Date
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Verification visit response

Page number 5 of 9

Name of providing organisation	Location	Reference
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Observation Note number – 03

Aspect of the code

Fabric of the Buildings

Action point

Planned maintenance arrangements were reviewed and a snagging list is created per development which is used to draw attention to the need for action. When work is carried out the entries are removed from subsequent lists for the property but clear records were not available to show that all necessary work has been completed. It is suggested that a single line entry is made against each property within the housing management system and copies of the snagging lists uploaded as records of progress. When the final item is completed the entry in the housing management system can then be closed to record the satisfactory completion of all works.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
Planned Maintenance as described is carried out as a separate electronic system and it is important to keep planned maintenance separate from reactive repairs. However it is agreed that a link to the planned maintenance list is kept on the housing management system as an information point and in future the file reference for the associated word document will be noted on the housing management system.	1 September 2007

Action verified as complete	Date
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Verification visit response

Page number 6 of 9

Name of providing organisation	Location	Reference
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Observation Note number – O4

Aspect of the code

Tenancy

Action point

The process for the early release of tenants was reviewed and although well controlled it was noted that when an individual is granted early release from the contract the copy contract remains in the property file. It is recommended that the contract should be retained in the file and a note pinned to the file to draw attention to the fact that early release has been given.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
This suggestion is welcomed.	1 September 2007

Action verified as complete	Date
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Verification visit response

Page number 7 of 9

Name of providing organisation	Location	Reference
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Observation Note number – O5

Aspect of the code

Health and Safety

Action point

Risk assessment was reviewed and all assessments are held centrally. The need for action to respond to any particular risks identified are communicated to local staff via e-mail however it is suggested that a positive acknowledgement system is developed to clearly record that risks have been notified to the relevant personnel and the appropriate actions have been taken.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
It can be shown on the Exchange mail server that a mail item has been read and it is felt that this is sufficient acknowledgement of an email for normal risks. In the case of notification of staff to a serious risk then the in built Outlook message delivery and message read receipt facilities would be used. This approach is already in place.	Completed

Action verified as complete	Date
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Verification visit response

Page number 8 of 9

Name of providing organisation	Location	Reference
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Observation Note number – O6

Aspect of the code

Health and Safety

Action point

Records of the testing of fire alarm systems were reviewed and significant gaps in the records were noted particularly between the 18th January and 13th March 2007 where records were not available for or . Corrective action to address this issue has already been taken and it is recommended that a further checking process is implemented to prevent any recurrence of this situation.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
<p>We welcome this suggestion. At present all fire alarm systems in large developments are tested weekly by Housing Management Officers and these log of these tests are kept at the main office and checked weekly by the Health and Safety Officer and also logged. These logs are checked from time to time by the Assistant Chief Executive - Development & IT.</p> <p>The system will be enhanced so that, in the event that there any gaps in the log record in the future, the Health and Safety Officer will investigate this within 5 working days and add a countersigned note to the log giving the reason for the omission of the test and action, if any, taken to remedy this.</p>	<p>1 September 2007</p>

Action verified as complete	Date
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Verification visit response

Page number 9 of 9

Name of providing organisation	Location	Reference
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Observation Note number – 07

Aspect of the code

Action point

The training records for staff were reviewed and although the records requested were found it was difficult to retrieve records of induction training and ongoing development of staff. It is recommended that the training records filing systems are reviewed and improved as appropriate.

Verifier signature	Accepted by provider	Date
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Response/Action	Completion date
A training record database has recently been set up which centralises records and supplements the individual staffing files.	1 September 2007

Action verified as complete	Date
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Appendix 4: Complaints Tribunal Chair's Adjudication on the formal complaint brought against Victoria Hall by De Montfort University

This complaint was lodged by De Montfort University, Leicester by letter dated 19th December 2006 (received on 28th December 2006) from the Estates Manager of the University to the National Code Administrator in respect of Victoria Hall Limited.

"The full text of the complaint forms part of this adjudication, and I hope I will be forgiven for summarising the dispute as follows: The complainant took the view that there had been an incorrect interpretation of the provisions of what is called "Approved Document B" of the building regulations with regard to the design plans agreed between the parties for accommodation known as Phase 2. The University took the view that it was clearly stated there that stairwells to apartments must be protected by lobby doors where the building has a single staircase and is in excess of 3 storeys above ground level. Victoria Hall Limited did not feel it was necessary for additional doors to be provided. This approach was agreed by the Building Regulations approval body, in this case Carillion.

The relevant paragraph of the Code of Standards for Larger Developments is 4.11 headed Fire Safety. I set out the paragraph in full

Managers will ensure that:

4.11 All developments are provided with properly maintained fire safety installations, and instructions on their use, necessary to enable the tenants to safely evacuate the building in event of a fire where this is required. These will be provided with fire safety measures in accordance with current legislation

and may include by way of example:

- a fire escape route with a minimum of 30 minutes fire resistance
- an automatic fire alarm system
- an emergency lighting system sited to protect the route of escape

The design and detail of the measures are determined in accordance with a fire safety risk assessment and in consideration the local authority's HMO standards.

I am grateful to the National Code Administrator and to staff from UNIPOL for their efforts in trying to resolve this complaint. I rely on a file note written by Ron Strong who conducted the main review into the technical aspects relating to this complaint, which I will not quote from but incorporate in full into this adjudication. It seems to me that this document shows a thorough investigation into the matter and I am grateful to Mr Strong for his efforts. The file note makes a point which I believe it is important for all parties to bear in mind in a dispute of this nature, namely that it is not the place of the Tribunal to look at the detail of technical complaints. I would endorse that and go further and say it is not appropriate for us to investigate contractual disputes between the parties. What we can investigate is whether a certain basic standard of amenity or safety has been reached. In this case that has to be by reference to the local authority's HMO standards.

I have seen (and also wish to incorporate into my findings) an exchange of emails which includes the following from Leicester City Council's Private Sector Housing Team Manager

The majority of concerns have been met. My colleague in Building Control comments: "It seems that they have considered the issues of concern, personally if they wish to omit the common lobbies I would have looked for some automatic opening vent at the head of the stair with override at ground floor entrance for fire service use". You might wish to ask for a comment on automatic opening vent.

I have taken the view that this resolves the issue before the Tribunal. However, I should add that I have seen a final email from Simon Thomas of Carillion PLC (the approved Inspector for Building Regulations for this development) which deals with the issue of openable vents.

Taking into account the final opinion of the local authority I have formed the view that there has been a satisfactory fire safety risk assessment carried out in consideration of the local authority's HMO standards and therefore that paragraph 4.11 of the Code of Standards has been complied with. The complaint is not upheld.

JOHN MARTIN
CHAIR OF THE CODE OF STANDARDS TRIBUNAL
10TH May 2007"