

## **Minutes of the Committee of Management Meeting**

held on Wednesday 18<sup>th</sup> March 2009, at Unipol Student Homes, Leeds

**Present:** Mr John Daniels (Chair), Mr David Arblaster (AMOSSHE, for Helen McNeely), Mr Jason Baines (Derwent Living), Mr Michael Ball (ASRA), Mr Martin Blakey (Unipol Student Homes), Mr Heriberto Cuanalo (CRM Students, for Keith White), Ms Ruth Hammond-Laing (LACORS), Mr Allan Hilton (Cass and Claredale), Ms Beth Raine (UPP, for Mark Allen), Mr Ian Robertson (University of Leeds, for Dennis Hopper), Mr Paul Rowlinson (Sanctuary Management Services), Mr Alan Russell (UNITE), Mr Brian Welsh (Liberty Living)

**In Attendance:** Mr Simon Kemp (National Code Administrator)

**Apologies:** Mr Mark Allen (UPP), Mr Chris Baines (Servite), Mr Jonathan Chandler (University of Greenwich), Mr Jeff Childs (Welsh Assembly), Mr Bob Crompton (Victoria Hall), Mr Rob Damiao (Unipol), Mr Gavin Duncan (Opal), Mr Ian Fletcher (ANUK), Mr Dennis Hopper (University of Leeds), Mr Paddy Jackman (CUBO), Ms Kerry Mattock (Mainstay), Mrs Helen McNeely (AMOSSHE), Mr Robert Russell (AoC), Ms Mary Stallebrass (CLG), Ms Ama Uzowuru (NUS), Mr Terry Waide (NIHE), Ms Geraldine Ward (University of Hertfordshire), Ms Sarah Wayman (NUS), Mr Keith White (CRM Students)

The Chair opened the meeting at 10.33am. He thanked Unipol for agreeing to host the meeting and for providing lunch and asked members present to introduce themselves. Following a question about whether the meeting was quorate, it was confirmed that the quorum is 5.

## **Minutes of the Previous Meeting**

The minutes of the meeting held on October 17<sup>th</sup> 2008 were approved.

## **Matters Arising**

**National Code Conference** – The National Code Administrator (NCA) reported that the conference had taken place in November 2008 and that the feedback from it had generally been positive. Members of the CoM agreed that the conference had been useful.

**Membership of the Verification Team** – The CoM was informed that a member of the team, Mr Nick Stanton, was no longer acting as a consultant for Vine Student Living - a matter which had led to some concern at the previous meeting. The meeting was reminded that all providers who are verified are informed in advance of which member of the team will conduct the visit and can, if they wish, request a different verifier.

**Review of the Code for Private Providers** – It was reported that Communities and Local Government had indicated that they would not be able to seek approval for any revised Code before the autumn of 2010 at the earliest. It was therefore proposed that the timetable for reviewing this Code be moved back from April 2009 to September 2009. This was agreed.

**Marketing and Publicity** – The NCA reported that a meeting of the marketing and publicity working party had taken place in January 2009, at which a number of ideas had been discussed – including a new national code logo and a proposed slogan encapsulating the key message of the Codes.

The CoM welcomed the ideas that had been generated at the meeting but felt that some more work was required on the logo and slogan so that it fitted in with a general re-branding of the Codes and the publicity produced to market them – both to students and parents. The CoM proposed that a revised A5 publicity leaflet be drafted, containing a number of key messages about what the Codes stand for. It was agreed that some designs be produced and circulated to members of the CoM in advance of the June 2009 meeting. It was also proposed that the larger publicity posters designed to be hung in developments be revised and that some window stickers also be produced. The CoM felt it would be better if publicity materials could be designed so as to be downloaded by members from the website. CRM agreed to assist with the re-design process via a company that they use for such purposes. The CoM also agreed that the timescales for the new logo should be delayed until 2010, as many members will already be in the process of printing publicity materials for 2009.

Members of the CoM thought it would be helpful if educational establishments could make more of an effort to publicise the Codes directly to students. AMoSSHE and ASRA reps agreed to consider ways of doing this and the NCA agreed to raise it when he speaks at the ASRA conference in April.

**HMO Licensing** – At the last meeting of the CoM it was agreed that a letter be written to CLG asking for clarification on how local authorities should be regarding purpose built student developments signed up to the Codes in respect of HMO licensing.

The Chair informed the meeting that no letter had yet been sent to CLG as further advice was being sought from LACoRS and Neil Marsden on this issue. CRM reported that they had experienced problems with a local authority that had cited LACoRS advice as the reason why they were asking for one of their developments to be licensed. The NCA was instructed to ask other members for their experiences with how local authorities are approaching the issue.

Some members of the CoM urged caution in respect of seeking a definitive view on the status of purpose built student accommodation, just in case the decision was not favourable.

LACoRS offered to assist any Code member negotiate with any local authority they were in dispute with over a licensing matter.

**NHS Data Request** – The NCA reported that he had received further communications from the organisation responsible for implementing the new IT system within the NHS which addressed the questions raised by the CoM at the last meeting. The CoM was satisfied with the answers given and agreed to the request to provide details of all developments covered by the ANUK/Unipol Codes.

## **Update on Code and CoM Membership**

The National Code Administrator reported that the number of bed spaces covered by the private providers Code at the start of March 2009 was 110,451, an increase of 19.5% since the last meeting in October 2008. He indicated that the main reasons for the increase were due to increased applications as well as a net expansion in bed spaces being managed by existing members of that Code. An analysis of the 18,066 new bed spaces added since October revealed that 7,583 belonged to new applicants (42%), with the majority belonging to existing members.

It was reported that a delay had occurred in inviting existing members of the educational establishment Code to re-join, which was due to the fact that the on-line registration process was not ready at the end of January. The NCA informed the meeting that the glitches in the system should be resolved by the end of April 2009 but, in the meantime, all existing members were being contacted by email and invited to signal whether they wished to rejoin or not. Assuming that all do so then a further 17,985 bed spaces will be added, taking the overall membership of both Codes to 128,436 bed spaces.

Members of the educational establishment Code are also being invited (assuming they re-signed for 2009) to decide how they wished to be verified in the future. They have been given a choice of either continuing with the existing system of external visits OR to be verified by a peer-to-peer system. If they choose the second option then they pay a reduced per bed space fee for membership, although they will be asked to nominate a member of staff who can be trained to undertake such visits. At the time of the meeting most of the re-joining members had opted to retain the external visits.

The NCA suggested that there may be a small number of private providers managing purpose built student developments who were still not either signed-up to that Code OR aware of its existence. He cited the example of two providers in Leeds, one of which has subsequently made an application to join. It was agreed that members of the CoM should draw the NCA's attention to any provider operating in their areas who was not yet a member of the Codes.

### Revisions to Membership of the CoM

It was reported a number of changes had occurred in the membership of the CoM which needed to be discussed. Mainstay requested that Ms Jane Carroll be replaced by Ms Kerry Mattock and Liberty Living that Mr Charles Marshall be replaced by Mr Brian Welsh. Both requests were agreed.

The NCA reported that Mr Chris Baines (Servite) had missed four consecutive meetings of the OCG and, under the terms of the Standing Orders, was deemed to have resigned from the CoM.

Communities and Local Government requested that they be downgraded from full members of the CoM as they were unable to attend meetings on a regular basis. The CoM felt that it was important to maintain a link with CLG and that they should therefore remain as full members, however, it was also agreed that they would only be expected to attend one meeting of the CoM a year.

Finally, the NCA reported that he had received a request from Mr Terence Treadwell (formally of Nido Kings Cross) to remain as a member of the CoM despite the fact that he was not currently working within the sector. The CoM were reminded that Terence was co-opted in October 2007 because of his knowledge of the sector rather than to automatically represent a particular provider with 2,000 or more bed spaces signed-up to the Code. Informal email 'discussions' with members of the CoM in advance of the meeting revealed that most members were willing to accept this request, although Liberty Living had raised concerns about it because Terence would not be representing a particular provider. The CoM agreed to co-opt Terence for a year and to review the appointment at the first meeting in 2010.

### **Chair of the Complaints Tribunal Panel**

The CoM were reminded that the current Chair, John Martin, had been appointed for a three year term of office in December 2005 and that the options were to either re-appoint John or to propose someone else.

The CoM agreed to re-appoint John for another period of three years.

### **Assessment and Verification**

The National Code Administrator reported that the Audit Panel had met in January 2009 to discuss the outcomes of the verification visits that took place in the autumn of 2008 as well as to determine the number and type of visits to take place throughout 2009.

From a total of 16 verification visits undertaken in autumn 2008, most were to provisional members of the Codes. In all but one case, the verifiers recommended that full membership be awarded as a result of the outcome of the visit.

The Audit Panel agreed on a programme of verification visits for 2009 that focused on three particular aspects: 1) All new applicants, to be visited within 12 weeks of completing the self-assessment questionnaire (where practicable); 2) Developments belonging to existing members which are situated in geographical locations that have not been visited previously – especially the south west of England, Wales and Scotland; 3) Providers verified last in 2007 and which were required to address one or more action points.

### **Annual Report to CLG**

CLG have requested the annual report for 2009 should be submitted to them by the end of June. It was agreed that the report include a section highlighting the work of all members of the Codes, to include photos and up to 250 words. The National Code Administrator was instructed to design a pro-forma report form that members could then fill in. It was also agreed that bodies such as ASRA and AMoSSHE could contribute to this section.

The draft report will be discussed at the next meeting of the CoM before it is submitted to CLG.

## **Discussion on the Rugg Review**

The Chair reminded the CoM of the background to the Rugg review and Martin Blakey gave a short presentation outlining his thoughts on the implications that the review might have for student housing. The National Code Administrator agreed to circulate a copy of the presentation to all CoM members by email.

## **Supply and Demand Trends 2009-2010**

Martin Blakey gave another short presentation, this one on student intake trends and patterns of demand. A copy of this will also be emailed to members of the CoM.

## **Tenancy Deposit Protection**

The National Code Administrator reported that a member of the Code had been informed by The Dispute Service that they were no longer eligible to be members of that particular scheme unless they were also members of a recognised professional body, which did not include one of the three Government approved Codes of Practice. That member wanted to know whether any others had been treated in the same way by TDS and if some representations could be made with TDS on their behalf by ANUK/Unipol.

The Chair stated that he understood the terms of reference of TDS to include a requirement that they take account of membership of approved Codes, so proposed that an approach be made to TDS on this basis. CRM reported that they had received similar information from TDS but they had successfully argued a case to continue to be covered by the scheme.

It was agreed to take the matter up with Lawrence Greenberg of TDS and ask for a formal position to be established for members of the ANUK/Unipol National Codes.

## **Parcel Storage Policies**

NUS submitted a paper raising some concerns about a decision taken by Unite to stop taking delivery of parcels for tenants at all of their developments. They wondered whether this was common practice across the sector and whether it constituted a breach of the Code for non educational establishments.

The CoM agreed that Unite were not in breach of the Code because they had taken every effort to inform tenants of their intentions in respect of this matter. The Code requires that “Tenants are informed of procedures for the distribution of incoming mail and where it can be collected from”, which is what Unite had done by writing to tenants to make them aware of the change in their service.

Representatives of other members present reported that they were not considering taking a similar stance as Unite and some reported that they had a contractual duty to deliver parcels built into their agreement with certain educational establishments.

Unite informed the meeting that they had not received a lot of adverse comments from their tenants since taking this decision, however the University of Leeds claimed that it had received some negative feedback from tenants of one of its developments managed by Unite and, as a result, would be requesting that the service be re-instated.

It was agreed that the general issue of parcels be revisited when the non educational establishment Code is reviewed in 2009/2010.

### **Any Other Business**

**TV Licensing** – CRM asked whether other providers had experienced the same problems as they had of aggressive tactics from TV licensing personnel when trying to check if tenants were in possession of a TV license. It was reported that they could only legally gain access to developments with the agreement of the provider. It was agreed that someone from TV licensing should be invited to attend the next meeting to make clear their policies in respect of whether all tenants need a separate license or not.

### **Date and Venue of Next Meeting**

It was proposed that the next meeting of the CoM, scheduled for June 25<sup>th</sup>, be moved to the 24<sup>th</sup> due to a clash with a conference that Unipol is organising for that day. This was agreed. It was also proposed that the junior Housing Minister, Ian Wright, be invited to attend the meeting.

Liberty Living were asked whether they would be willing to host the October CoM meeting at their Bedford Campus. Brian Welsh agreed to investigate and report back.

The meeting closed at 13.27pm