

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

Minutes of Committee of Management Meeting

held on Friday 2nd March, 2007, at RIBA, London

Present: Mr Neil Marsden (ANUK and Chair), Mr Mark Allen (UPP), Mr Jason Bains (Derwent Living), Mr Martin Blakey (Unipol), Mr John Daniels (DCLG), Mr Graham Donaldson, (Mainstay Group), Mr Gavin Duncan (Opal), , Mr Allan Hilton (Cass & Claredale), Mr Charles Marshall (Liberty Living), Ms Helen Mc Neely (AMOSSHE for Claire Powrie), Mr Nick Stanton (UNITE), Ms Geraldine Ward (University of Hertfordshire) and Mr Keith White (CRM)

In Attendance: Mr Simon Kemp (National Code Administrator), Mr Andrew Attewell (Victoria Hall), Mr Bill Franciscy (University of Greenwich)

Apologies: Mr Stuart Black (London Metropolitan University), Mr Andrew Cardy (UUK), Mr Jeff Childs (Welsh Assembly), Mr Tim Cobbett (UUK), 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), Ms Jacqueline McNee (Unipol), Mr Paul Rowlinson (Shaftesbury Student Housing), Mr Robert Russell (AoC) and Mr Terence Treadwell (ASRA).

The meeting began at 10.35am. The Chair thanked UPP Projects Ltd for arranging the venue and the lunch and then asked members to introduce themselves.

Minutes of the Previous Meeting

These were **APPROVED** as being a true and accurate record of that meeting. Gavin Duncan requested that in future the hard copies of papers for the meeting be copied double sided, which was agreed.

Matters Arising

ANUK Guidance on HMO Licensing for Larger Developments – The Chair gave a verbal report detailing the latest developments on HMO licensing.

LACORS may be issuing advice to Local Authorities on their interpretation of whether certain types of large developments should be licensable or not towards the end of March. At the present time the ANUK interpretation was generally regarded as the easiest one for LAs to use.

A member of the CoM reported that one LA had decided to license individual cluster flats with 6 or more residents. The Chair asked the CoM whether it wished to seek legal advice on the position or wait until LACORS had issued the advice. It was **AGREED** that it would be best to wait for LACORS view.

The Chair proposed that it might be useful to co-opt LACORS onto the CoM, which was **AGREED**.

The Chair announced that a review of the whole HMO licensing process had begun and that it may be possible for the CoM to have an input into this process.

Status of Offices within Larger Developments for Council Tax Purposes - The National Code Administrator reported that some members of the CoM had used the e-mail distribution list to discuss concerns over the way in which some LAs had classified on-site offices within large developments for the purpose of Council Tax. Members felt that the distribution list was

a useful tool for commercial providers to share information and concerns about matters which might not have a direct bearing on the CoM.

Generally, LAs did not regard on site offices as being a business and Council Tax was not charged. Several attempts had been made to charge Council Tax by a number of authorities but, after review, tax had not been charged.

Correspondence with Educational Establishments – The National Code Administrator informed the meeting that the letter agreed at the previous meeting had been distributed and that some replies had already been received from Aberdeen, Birmingham and London. These would be followed-up and reported back to the next meeting.

Martin Blakey (Unipol) reported that some concerns were beginning to emerge over private sector providers claiming that they met the test to join the Approved Code arrangements being run by UUK. This suggests that discussions are required with UUK to review which buildings are being included within their code.

Staff Training on the National Code – The National Code Administrator apologised to the CoM for being unable to arrange the first session of training on the date agreed at the last meeting. He reported that a more detailed agenda for the training had been drafted and wondered whether, given its content, the training might be tailored towards the needs of individual members, rather than run as general sessions.

The CoM welcomed this proposal and it was AGREED that all members would receive details of the training module being developed.

It was raised that training materials might be produced so that organisations could deliver the training themselves in-house. Generally, this was unlikely because of the expense of producing written materials or a manual not linked into a training package undertaken by ANUK/Unipol.

It was also suggested that it might be worth undertaking some specific training on Tenancy Deposit Protection in any future training package.

Pro-forma for Code Amendments – The National Code Administrator reported that this document had been posted on the ANUK website.

Publicity and Awareness – The National Code Administrator announced that additional copies of the A5 leaflet *What's in the Code* (for non-educational establishments) had been printed. If any members required more of these then they can be either picked-up from Leeds or sent in the post. Stocks of the leaflets for educational establishments are running low, but could easily be re-printed if members required more.

Martin Blakey (Unipol) reported that a bid had been made to CLG for funding to provide additional publicity to increase students' overall awareness of the Codes and thanked John Daniels for his support of that bid. Members of the CoM will be circulated with some ideas for new publicity, which could include advertising space in *The Guardian* HE Guide and the production of merchandising, which could be branded to link with individual providers.

Allan Hilton (Cass and Claredale) suggested that it might be an idea to develop a specific marketing plan, which could be discussed at a future meeting. This was **AGREED**.

The National Code Administrator asked whether members would find it useful to have a promotional leaflet which emphasised which providers were members of the Code and which were not. The general feeling of the meeting was that it might be better to concentrate on raising students' overall awareness of the ANUK/Unipol codes.

The Chair suggested that the co-option of LACORS onto the CoM would be a good way of ensuring that information about the Codes was disseminated to Local Authorities.

Martin Blakey (Unipol) proposed that at the next CoM meeting some figures be presented showing how many hits the National Code section on the ANUK website was getting. This was **AGREED**.

Meeting Venues Survey – The National Code Administrator thanked those members who had replied to the e-mail survey asking for indications of who would be able/willing to host future meetings. The results revealed that several non-London based members had indicated that they would like to host meetings. Given some comments at previous CoM meetings the National Code Administrator wondered whether members would be prepared to attend meetings out of London. The consensus was that whilst they were happy to do so the venues should be no further than 2 hours from London and these meetings should not take place on a Friday.

Update on Code Membership

The National Code Administrator introduced a paper setting out which members had re-joined the Codes for 2007 as well as whether any new members had joined. No member appeared to have left the Code.

It was further reported that one previous member had not yet responded to several requests for the return of the self-assessment questionnaire. The CoM was therefore invited to discuss a recommendation that they only be permitted to re-join following a successful verification inspection by the Audit Panel, the costs for which would be added to their joining fee.

John Daniels (CLG) felt that it would also be necessary to make clear to the College what the implications would be if they were not signed-up to one of the approved Codes for educational establishments.

Martin Blakey (Unipol) thought that it was important that the CoM was seen to be taking action and to remind members of their obligations. They should therefore receive a final warning. However, because the college housed a number of under 18s, and therefore fell under the Care Standards procedures, he thought the accommodation would not be sub-standard. He therefore proposed referring any decision on a verification visit to the Audit Panel and this approach was **AGREED**.

The CoM was invited to consider a recommendation that in future, membership of the Codes would be automatically continued (and an invoice issued for costs), subject to a signed version of the appropriate Code being submitted to the National Code Administrator within the first three months of the relevant year. Some concerns were expressed about how alterations to the lists of developments covered by the Codes could be policed, but the CoM **AGREED** this proposal.

Nick Stanton (UNITE) reported that they had recently bought some developments previously operated by Downing. He agreed to forward the information to the National Code Administrator.

Following some concerns expressed at the previous meeting about members of the CoM not attending meetings, a Standing Order for addressing this matter in future was discussed. It was suggested that where a member had missed three consecutive meetings then they should be sent a letter drawing their attention to their absence and stating that unless they attended the next meeting they would be deemed to have resigned. If the person/s concerned had been nominated as a representative of a non-provider organisation, that organisation would be invited to nominate a new member but it would not be possible to nominate any nominee who had previously been deemed to have resigned within a year of that resignation. The Standing Order was unanimously **AGREED**.

The CoM was also asked to establish a Standing Order in respect of establishing a policy on the sending of substitutes to meetings. It was proposed that in the case of nominated members any substitutes would be given a full role so long as they had been named by the nominating body as carrying such status and that the National Code Administrator should have been informed of this in writing (includes e-mail) not less than 48 hours before the meeting. If not then any replacement would only have visitor status would have speaking rights only at the gift of the Chair.

In the case of individual members, no substitutes would be acceptable, but visitor status could be applied for 48 hours before the meeting. However, without such an application visitor status could not be granted. These proposals were also **AGREED**.

Allan Hilton (Cass & Claredale) noted that the CoM now has devised a number of standing orders and asked whether it would be possible to consolidate these into one document and this was **AGREED**. The Standing Orders would also be placed on the Web and new CoM members attention drawn to them.

Gavin Duncan (Opal) asked whether some thought should be given to the number of meetings held each year, especially given the existing size of the CoM. Martin Blakey (Unipol) suggested that there might be some benefit in focusing on specific issues at each of the different meetings, which would assist members to prioritise which ones they wished to attend.

Assessment and Verification Procedures

The National Code Administrator introduced a paper reporting on progress with the analysis of self-assessment questionnaire returns and containing a proposed strategy for conducting the first round of verification visits.

It was reported that all of the self-assessment questionnaires that have so far been returned have been analysed. In several cases it was necessary to request additional information and re-score the outcomes.

A summary report on each return was made available to the Audit Panel, who would make use of these when preparing to conduct the verification visits. When the resulting radar charts were compared against the comparable organisation that took part in the pilot process about half scored either significantly higher or lower.

The National Code Administrator invited the CoM to discuss a proposal that the first round of verification visits be centred on three geographical locations – Leeds/Bradford, Nottingham and London – and that particular attention be paid to the members in those areas who scored significantly higher or lower than their comparators; although all members within those locations would receive a visit. Members with multiple developments in more than one of these locations would be subject to an inspection visit in each location. The visits would be conducted by members of the Audit Panel.

During the course of the discussion Gavin Duncan (Opal) questioned the validity of any provider members being represented on the Audit Panel. Martin Blakey (Unipol) replied that the CoM had agreed that each member of the consortium should nominate a representative and that Mr Ron Strong (from Unipol) had been nominated because of his technical expertise on the verification process. He had no contact with Unipol's day to day housing management regime. However, if the CoM believed this constituted a conflict of interest then Ron's role would be purely advisory. The CoM **AGREED** that at present no conflict was perceived and their currently was no problem with that arrangement.

Questions were also raised as to whether London was the best location for the first round of visits and it was **AGREED** that Leicester would be a better location. London would be dealt with in the second round of verification visits.

The strategy was **APPROVED**, with Leicester replacing London as one of the three locations.

Martin Blakey (Unipol) reported to the CoM to note that Unipol had arranged for Bentley Jenison to undertake its own verification visit and reported that this will take place in May/June and this independent approach was **WELCOMED**. Neither he nor the National Code Administrator would be involved in this procedure.

The National Code Administrator reported that Mr Andrew Griffiths (CIEH) had recently resigned from the Audit Panel due to other work commitments. However, CIEH had agreed to nominate a replacement member and the CoM welcomed their on-going commitment to the verification procedures.

Development of UUK/SCOP Management Structures

It was reported that the National Code Administrator had received communications from UniversitiesUK setting out proposals for the establishment of a governance board for their code. ANUK had been offered 3 places on the board and the CoM was asked to decide whether it wished to appoint 3 representatives and, if so, who these people should be.

The CoM agreed that the ANUK/Unipol Code ought to be represented on this body and that all three places were filled. The National Code Administrator agreed to attend the first meeting that had been called by UUK (to be held on 6th March) to represent the ANUK/Unipol Codes.

Martin Blakey (Unipol) expressed some concerns that nothing had so far been done about the issue of convergence of the two educational establishment codes, and highlighted five specific areas of the ANUK/Unipol/UUK/SCOP Protocol agreement which remained outstanding. These were:

- a joint review on smaller properties controlled and managed by educational establishments
- a register of all complaints, broken down by type and to be reviewed annually by both bodies
- an annual review meeting between the two Codes
- undertaking joint training initiatives
- production of an annual newsletter.

John Daniels (CLG) reminded the meeting that because the Codes were the subject of Government regulations, any conditions set out within those would have to be adhered to.

It was **AGREED** that Martin Blakey should write to UUK at the conclusion of the first year of the Protocol and request that these undertakings be honoured.

Home Office's Security Standards

As it was not possible for the Police Association of Higher Education Liaison Officers (PAHELO) to be present to speak to the paper that they had submitted commenting on various sections of the ANUK/Unipol Codes, the Chair proposed that members of the CoM e-mail their comments to the National Code Administrator before the next meeting – at which it was hoped PAHELO could be present.

Gavin Duncan (Opal) asked whether the National Code Administrator could devise a pro-forma sheet to assist with this feedback and this was **AGREED**.

Martin Blakey (Unipol) felt that it would be beneficial to develop some set security standards, especially if these carried an endorsement by the Home Office. He reported that Unipol had organised two joint conferences on students and crime with the Home Office and that much of

the emphasis has been on raising student awareness of crime rather than the type of barrier security that was being provided. It was **AGREED** to invite Carol Larking from the Home Office to the next meeting of the CoM, as well as a representative from PAHELO.

Tenancy Deposit Protection Schemes

It was reported that The Disputes Service, one of the operators of the two insurance based TDP schemes, had expressed an intention to provide a bespoke service for operators of large student developments. However, no further details were yet available. The CoM was asked whether they would like to invite The Disputes Service to the next meeting.

The general feeling was that it might be too late by the date of the next meeting as the scheme was to come into operation in April 2007. It was proposed that an approach be made directly to The Disputes Service to ascertain whether any scheme for providers of large developments could be arranged in the future. This was **AGREED**. The National Code Administrator will keep members of the CoM informed of any progress via e-mail.

It was noted that the Tenancy Deposit Advisory Panel (the body which had helped devise the TDP schemes) were keen that any timescales for the return of deposits should be imported into the approved Codes. Although this was the case with the ANUK/Unipol codes it was uncertain as to whether the same was true of the UUK/SCOP one.

Draft Annual Report to CLG

The National Code Administrator invited members of the CoM to comment on a first draft of the Annual Report that is required by CLG by the start of April. However, as the meeting was already running late, as there were no comments on the circulated draft, it was **AGREED** that a report must be submitted by the deadline (to be agreed by between the consortium members ANUK/Unipol and NUS) in April and that the Report would be e-mailed to members and placed on the Website after its submission.

AOB

Code of Standards Complaint (Chair's Adjudication) – The National Code Administrator reported that the Chair of the Tribunal Panel had been asked to adjudicate on the first formal complaint brought under the National Code that had escalated beyond the level of the National Code Administrator himself. The Chair was due to deliberate on the complaint on Monday 5th March, although that adjudication may result in further information being requested. Any outcome would be reported back to members of the Tribunal Panel.

Gavin Duncan (Opal) asked why members of the Tribunal Panel had not been involved already. The Chair reminded members of the CoM that the complaints procedures state that, wherever possible, complaints would be dealt with by the Tribunal Chair's action. If they could not be dealt with by the Chair alone then they would be referred to the full Tribunal.

Mr John Daniels – The Chair announced that this was the last meeting that John would be attending as he was retiring at the end of March. He thanked John for his commitment to extending accreditation as a tool for improving housing standards, especially his support for the ANUK/Unipol Codes. He hoped that John might be persuaded to have some continuing involvement with the Codes even after retirement. Martin Blakey (Unipol) proposed that a lunch or dinner for John be organised at some point in the future to thank him for all of his work.

Date of Next Meeting

The National Code Administrator agreed to circulate some suggested dates for future meetings of the CoM

The meeting closed at 1.15pm