# UUK/GuildHE

# Approved Code of Practice for the Management of Student Housing

## 13th Annual Report

## September 2019

# Contents

## 1. Foreword – Chair of Governance Board

It is a pleasure to be able to write the Foreword to this Annual Report which celebrates the achievements of the many people in the sector who work so hard to provide safe, secure and comfortable accommodation for an ever-increasing number of students. This report also demonstrates that those involved in this service do not rest on their laurels and are constantly reviewing their own performance within the operation of the Code to drive its enhancement and improvement.

Last year I noted disappointment that the revised Code had not been laid before Parliament for approval. I am delighted to say that this year this was achieved. We also had a record number of delegates at the Practitioners Conference and it is interesting to note the range of topics that the conferences now cover reflecting many of the concerns and issues in society today.

The increase of on-line developments is pleasing to note, particularly how this is resulting in better audit reports and returns. This will enable us to even better focus on areas of concern. This year the average number of recommendations per audit were up by 0.4. This may be the result of improved auditing but the fact that the Health and Safety Section of the Code has the most mandatory recommendations from audit shows that there is still much more work to be done.

The financial performance is still satisfactory although a small increase to the unit charge will be implemented this year to ensure sufficient resource is available to deliver future plans.

Once again I express my deepest gratitude to those without whom this Code would simply be a shallow exercise; my colleagues on the Governance Board for their wisdom and guidance; the members of the Sector Advisory Group who freely give up their time to support their colleagues and save their institutions a vast amount of money by ensuring exception from licensing fees. There are also a number of individuals deserving of note. Michael Ball, the Chair of SAG, who manages a Herculean workload; Claire Furnival, the Code Administrator, whose efficiency knows no bounds and is instrumental in all that has been achieved this year. I would also like to record my thanks to staff at UUK, especially to Mary Lambe, who departed for pastures new during the year, and to Samuel Roseveare who has already achieved much as our new link person.

Andrew Nightingale

Chair – Governance Board

September 2019

## 2. Executive Summary

This Annual Report covers the period September 2018 to August 2019.

This thirteenth annual report presents a record of the significant achievements made by the administration and governance of the Code and more importantly the positive impact it has had on improving the management arrangements for the benefit of the 252,679 students who are residents of the members' establishments. During this period the Code operated within its set parameters and met all its statutory requirements. The Governance Board (GB) and Sector Advisory Group (SAG) met regularly, in accordance with the published annual cycle of meetings, to discharge their respective responsibilities.

Membership remains strong. 147 institutions are registered with the Code which encompasses 4,230 buildings and 252,679 bed spaces a small increase of 717 bed spaces on September 2018. 232,332 bed spaces are registered in England, 16,963 in Wales and 3,384 in Northern Ireland.

Membership lists for the Code can be found on the website:
https://www.universitiesuk.ac.uk/policy-and-analysis/Documents/2019/ACOP-online-building-list.pdf

Detailed building information can also be found on the student facing website:
https://www.thesac.org.uk/

Calls for audits, complaints and building information data were issued in accordance with the Code requirements, and the details of returns received from members are covered in this report.

Deadlines for the return of information to the Ministry of Housing Communities and Local Government have been met.

The financial activities of the Code administration have been duly scrutinised by both SAG and GB and the year-end accounts have been independently audited. Key activities for 2018/19 have included:
- o Successful launch of the revised Code of Practice following parliamentary approval,
- o Publication of revised audit guidelines to support the revised Code,
- o Publication of the revised self-assessment checklist,
- o Successful running of an auditors workshop which helped auditors understand the Code requirements, improve and standardise audit returns, the revised Code and to present the online submission of audit returns project,
- o The ninth annual conference was delivered in partnership with the Accreditation Network UK (ANUK) Code,
- o The fifth annual practitioners conference was delivered to a record number of delegates,
- o The commissioning and implementation of an online UUK Code Management tool.

### 3. Governance

i. Meetings

The Governance Board oversees the strategic direction and operation of the Code. It met twice during this reporting period, October 2018 and March 2019.

The Sector Advisory Group's aims and objectives are to monitor the Code's key operational processes, oversee and support membership compliance, and recommend any changes or improvements to Code content or management processes. During this reporting period the SAG met on three occasions; November 2018, February 2019 and July 2019.

In recognition of the need to demonstrate an open and transparent approach to decision making, a Register of Members' Interests was compiled in 2014. This has been updated as GB and SAG membership has changed. Declarations of Interest are noted at the beginning of each meeting and recorded on an annual basis.

ii. Changes in legislation since the last report

New regulations relating to the licensing of houses in multiple occupation (HMO) came into force on 1st October 2018. Within these regulations the definition of a mandatory licensable HMO under the Housing Act 2004 was amended to HMOs containing five occupiers in more than one household; previously an HMO also needed to be three or more storeys, this is no longer the case. As a consequence of this change any properties falling within the revised description are now subject to mandatory licencing in England.

Further legislative changes include the extension of Rent Repayment Orders to offences under Part 1 of the Housing Act 2004 (that apply to all residential premises including student accommodation) and the introduction of Civil Penalties for relevant offences under Part 1. There are also the changes to the Landlord and Tenant Act 1985 made by the Homes (Fitness for Human Habitation Act) 2018.

In addition, the Tenants Fee Act 2019 came into force in June 2019. The Act bans most letting fees and caps tenancy deposits paid by tenants in the private rented sector in England and applies to new or renewed ASTs, licences and student lettings signed on or after 1 June 2019. From 1 June 2020, the ban on fees will apply to all private rented sector ASTs, licences and student lettings, regardless of their commencement date.

iii. Changes to the Code since the last report.

A light touch review of the Code was undertaken in 2016 and 2017. The revised version experienced delays in being laid before Parliament due to political pressures that the Government were under following the Grenfell fire tragedy. Most amendments were simply to modernise the Code to ensure it was relevant with up-to-date living and working practices. The key change was the introduction of a paragraph regarding smaller off-street properties that was consistent with the Unipol ANUK code. This confirmed that "Head leased properties, defined as small off street properties converted to accommodate 10 or less tenants and leased for not more than 3 years by an educational establishment from a private landlord, shall not be considered as being managed and controlled by the HEE and therefore will not be exempted from licensing."

The revised Code was laid before Parliament on 7th May 2019 and came into effect on 1st June 2019.

The legislation can be found http://www.legislation.gov.uk/uksi/2019/884/made

## 4. Membership of the Code

147 institutions are registered with the Code (137 in England, 9 in Wales and 1 in Northern Ireland).

Establishments wishing to sign up to the Code are required to submit a letter from the vice-chancellor or principal formally stating that intention and undertaking to adhere by the provisions of the Code. A list of all buildings to be included in the Code is required and establishments seeking membership are also required to supply an audit report. Verification of eligibility and compliance is the responsibility of the Governance Board, advised by the SAG. There were 2 new
members joining the Code during the period covered by this report;

- Queen's University, Belfast
- Hartpury University

At the time of writing both institutions have been confirmed as new members by the Governance Board.

During the year The University of Bolton resigned from the code due to outsourcing the ownership of its student accommodation.

## 5. Audits

### i. Procedure

It is a requirement of the Code that an establishment's internal audit procedures must include an assessment of how well the management of student accommodation satisfies the provisions of the Code. This year there were 33 audits due to be undertaken against the Code. The administrator has liaised closely with all respective code members and received satisfactory audit returns from 32 establishments. At the time of writing this report, the remaining institution has been advised to provide a full audit report with proposed management actions to the October 2019 Governance Board Meeting, where their eligibility for membership will be considered.

All audit returns were scrutinised by the SAG at its July 2019 meeting.

### ii. Findings

This year, 4 institutions were fully compliant with all mandatory elements of the Code and received no audit recommendations. The table below outlines the number of recommendations concerning mandatory elements of the Code from the 32 audit reports received and provides a comparison with the numbers received in each of the previous five years.

The data indicates an increase in the number of mandatory elements that are identified during the audit process as needing to be addressed.

|  | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 |
|---|---|---|---|---|---|---|
| **Average number of recommendations per audit** | 3.0 | 2.9 | 3.0 | 4.3 | 3.0 | 3.4 |
| **Total Recommendations** | 184 | 66 | 103 | 242 | 70 | 108 |
| **Number of Audits** | 62 | 23 | 34 | 56 | 23 | 32 |
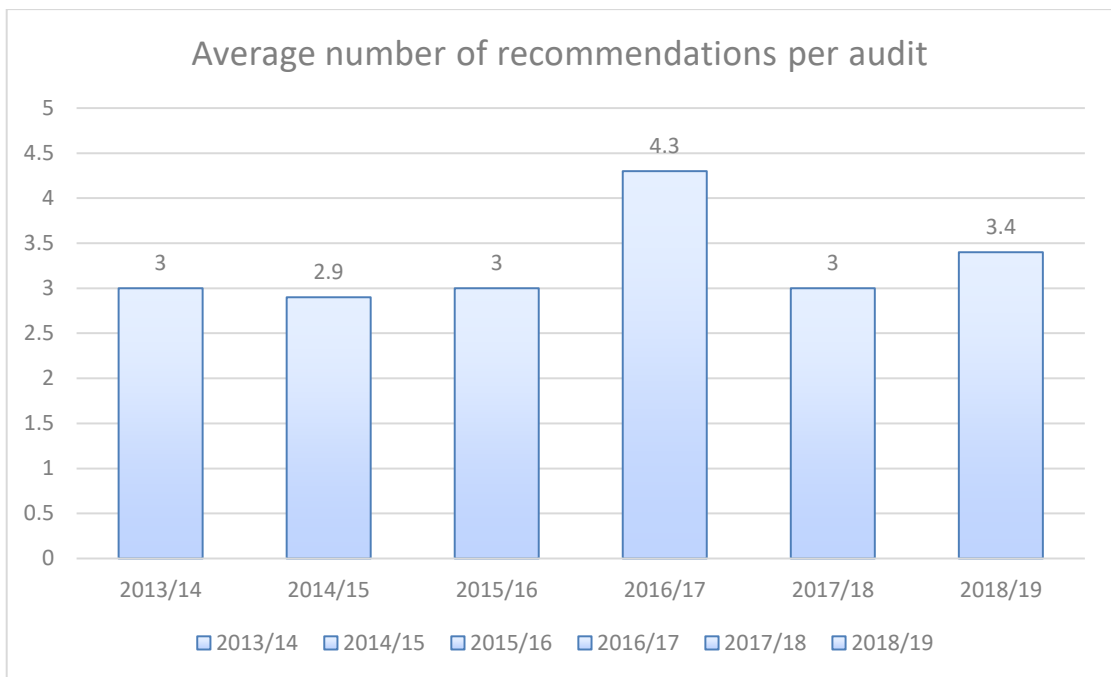


All the recommendations rated as high risk have been reviewed by the SAG with regards to the nature of the risk involved, including an assessment of the management response and the timescale for remedial measures.

- As at 10th October 2019 there were a total of 18 outstanding mandatory recommendations across 10 institutions that require follow up action and subsequent confirmation that the agreed management action has taken place.

- The Administrator is facilitating confirmation that these actions have been implemented with the institutions concerned, and any exceptions will be reported at the Governance Board meeting in October 2019 and any relevant action implemented.

iii. Specific compliance

The sections of the Code receiving the most failings were 2.17 and 2.29 which both had a total of 7 members receiving auditor recommendations.

Section 2.17 of the Code requires that portable appliances supplied by an H/FEE or used in the premises by H/FEE staff, must be inspected and maintained in accordance with an establishment's PAT policy. Where arrangements exist for the testing of students' personal electrical equipment these should be set down in the PAT policy. The H/FEE must make students aware of the PAT policy, and any procedure for having students' personal electrical equipment tested.

Section 2.29 of the Code requires that wherever student residences are monitored by CCTV this must be advised in the foyer or on the external entrance to the building. Installation and operation must be in accordance with the relevant legislation.

The graphics below shows a breakdown of the total number of mandatory recommendations identified under each section of the Code.



Repairs & Maintenance



Landlord Tenant Relationship



General



Anti-Social Behaviour & Disciplinary Procedures



Health & Safety Standards & Procedures



Health & Wellbeing



Environmental Quality

## 6. Complaints

145 institutions were invited to return information on complaints/non-complaints, we received a return from 144 institutions. The Chair of the Governance Board will write to the Principal Officers of the institution that did not complete a complaint return notifying them of their non-compliance and the potential consequences for their continued membership of the Code.

123 institutions returned no complaints in respect of code compliance issues. Of the remaining 21 institutions that returned complaints, 32 complaints were recorded, of which only 1 complaint remains open. The complaint is currently being managed by the OIA, where a case handler is due to be allocated in December 2019.

The nature of most complaints (12) related to Section 5, Landlord & Tenant relationship with no common cause being identified.

The second largest area of complaint was Section 2, Health and Safety Standards and Procedures with 9 complaints being logged with no common cause being identified.

## 7. Financial information

i.  The 2017/2018 accounts were audited by Hawsons Chartered Accountants and presented to the Governance Board in October 2018. The accounts highlighted an in-year income of £91,222 and expenditure of £67,823 leaving a surplus in operation for the year of £23,431. The surplus was budgeted to improve the reserves total to help fund an IT project For a Code management tool for members. The accounts recorded no in year debt.

ii.  The carried forward reserve balance for year ending 31 July 2018 was £76,484, which is above the agreed reserve balance of £45,000 to £50,000.

iii.  The in-year accounts for 2018/2019 reveal a healthy balance and no historic or in-year debt for membership fees. The year-end accounts (31 July 2019) have been audited by Hawsons Chartered Accountants and are due to be reported to Governance Board for approval at its October 2019 meeting.

## 8. Membership meetings

i.  9th Joint National Codes Conference

The 9th National Codes Conference was held on 16 November 2018 in Central London and attracted registrations from 97 delegates, a 25% decrease in delegates on the previous Joint Conference. 52% of the delegates were members of the UUK/GuildHE Code of Practice.

Delegates were invited to complete an on-line evaluation form. All areas analysed rated as either excellent or very good.

The best received sessions were Designing Sociability within Student Accommodation, Tackling Homophobia, Biphobia and Transphobia in Student Accommodation and Student Wellbeing in Practice.

The 10th Joint National Codes Conference will be held on Friday 15 November 2019 at The British Library in London.

ii. 5th UUK/Guild HE Accommodation Code Members Practitioners' Conference

The 5th Practitioners' Conference was hosted by the University of Manchester on 25th June 2019. 75 members from 54 institutions attended the free event.

Members attended from across the whole of the UK, including representation from Welsh institutions.

The programme for the day was very wide-ranging and informative, sessions included:

- Emergency Incident Management
- Allocation Policy v Reality
- Common Audit Failings
- Tenant Fees Act 2019
- Media/Social Media Impact
- Preparing for an Audit

The opportunity was also taken to discuss with the delegates the recent change in legislation and new Code of Practice and the launch of the new members management tool for the UUK Code.

Feedback from the event was very positive regarding both the event content and administration. The intention is to continue with these events on an annual basis, specifically as the principal channel to engage with code members and seek input and feedback on all aspects of the code, its management and administration and where it can be improved and developed.

## 9. Engagement

Information about the UUK Code and its registered buildings are contained on 2 separate websites:

- a dedicated student facing website www.thesac.org.uk

- web pages within the UUK website contain member and auditor information http://www.universitiesuk.ac.uk/policy-and-analysis/Pages/accommodation-code-of-practice.aspx

The web traffic report for the student facing website www.thesac.org.uk revealed that the site had 31,750 users during the period September 2018 – August 2019, down 9% on same period the previous year. The highest usage occurred during a 2-week period from the 17th August 2019 which links to the A Level results release date when the need for students to decide on and understand accommodation alternatives is probably greatest.

60% of visitors are from the UK followed by USA at 11.2%, an increase of 6%. China (3%), India (2.4%), and Spain (1.4%). There was a year on year decline in visitors from the UK and all other EU nations.

Website analytics by location for the student fronting Code website www.thesac.org.uk

| Country | Date Range | Users | %age change |
|---|---|---|---|
| United Kingdom | 01-Sep-2018 - 31-Aug-2019 | 19132 | -12.9 |
| | 01-Sep-2017 - 31-Aug-2018 | 21976 | |
| United States | 01-Sep-2018 - 31-Aug-2019 | 3576 | 94.1 |
| | 01-Sep-2017 - 31-Aug-2018 | 1842 | |
| China | 01-Sep-2018 - 31-Aug-2019 | 945 | -43.2 |
| | 01-Sep-2017 - 31-Aug-2018 | 1665 | |
| India | 01-Sep-2018 - 31-Aug-2019 | 761 | -3.2 |
| | 01-Sep-2017 - 31-Aug-2018 | 786 | |
| Spain | 01-Sep-2018 - 31-Aug-2019 | 440 | -17.3 |
| | 01-Sep-2017 - 31-Aug-2018 | 532 | |
| Italy | 01-Sep-2018 - 31-Aug-2019 | 388 | -26.7 |
| | 01-Sep-2017 - 31-Aug-2018 | 529 | |
| Hong Kong | 01-Sep-2018 - 31-Aug-2019 | 369 | -13.4 |
| | 01-Sep-2017 - 31-Aug-2018 | 426 | |
| France | 01-Sep-2018 - 31-Aug-2019 | 362 | -43.4 |
| | 01-Sep-2017 - 31-Aug-2018 | 640 | |
| Japan | 01-Sep-2018 - 31-Aug-2019 | 308 | 6.6 |
| | 01-Sep-2017 - 31-Aug-2018 | 289 | |
| Germany | 01-Sep-2018 - 31-Aug-2019 | 286 | -25.9 |
| | 01-Sep-2017 - 31-Aug-2018 | 386 | |
| **Overall Users** | **01-Sep-2018 - 31-Aug-2019** | **31923** | **-9.1** |
| | **01-Sep-2017 - 31-Aug-2018** | **35137** | |

## 10. Activities 2018/19

- A review of the bed space charge took place during the year and it was agreed it should increase to 40p per bed space with a slight increase on the minimum charge to £130 per member. This was approved by Governance Board in March 2019.

- The membership and buildings lists were updated and submitted to the MHCLG. The UUK and student facing websites were also updated.

- The 9th Annual Joint Codes Conference was held on 16 November 2018 in London (see Section 8i).

- A Practitioners' Conference took place on 25 June 2019 hosted by the University of Manchester (see Section 8ii).

- The on-line Induction and Training tool is in place to support member institutions with 1479 active learners registered. They have started 5379 course modules of which 5177 have been successfully completed.

- The revised Code received Parliamentary approval and came into effect on 1st June 2019 and will be applied in all audits in the 2019/20 audit cycle. There were no major changes in the revision.

- UUK undertook a review of the Code to assess the ongoing placement within UUK and the procurement of future administrative support. The report is anticipated imminently.

- An auditors workshop was help in London in November 2018. The event was well received reinforced by excellent delegate feedback. Feedback was used to improve the Auditors Checklist for the revised Code by embedding images and detailed descriptions.

- An online management tool for all UUK Code members was successfully launched. The system permits members to record and manage their audit findings and building lists. The system will be further developed to record complaint returns and generate automated system reminders relating to all Code related compliance matters.

## 11. Plans for 2019/20

- Adopt the recommendations of the UUK review as appropriate and subsequently procure an administration service.

- The 10th Joint Codes Conference will be held on 15th November 2019 in London.

- Members will be asked to update their buildings list and the information will be submitted to the MHCLG in spring 2020.

- Complaints returns will be analysed and reported to SAG in June 2020.

- 54 scheduled audit returns will be analysed and reported to SAG in June 2020.

- Following the success of the Practitioners' Conference in July 2019, the 6th conference will be held in Manchester in June 2020.

- Continue to develop the UUK Code management tool to include complaint return handling and automatic email reminders for matters relating to audits, findings, complaints and building lists.

- The SAG is undertaking an initiative for a best practice guidelines project looking at; Researching and identifying good practice; Reviewing and validating good practice; and Communicating and sharing good practice.

- Update of Code members promotional material.

- Update the E-Learning tool modules to align with new Code.

For more information on:
- The Code
- Terms of reference
- List of members
- Registered buildings

Please visit

http://www.universitiesuk.ac.uk/policy-and-analysis/Pages/accommodation-code-of-practice.aspx

www.thesac.org.uk

# APPENDIX A

## GOVERNANCE BOARD TO THE UNIVERSITIES UK/GuildHE ACoP
## FOR THE MANAGEMENT OF STUDENT HOUSING

| | | | |
|---|---|---|---|
| Independent Chair | Andrew Nightingale | anight66@googlemail.com | 01206 825396<br>07712 385024 (mob) |
| 2 AMOSSHE Members | Vacancy | | |
| | Fay Sherrington | sherrinf@edgehill.ac.uk | 01695 584377 |
| 3 ANUK Members | Simon Kemp | simon@unipol.leeds.ac.uk | 0113 2430169 |
| | Dr Stephen Battersby | sabattersby@blueyonder.co.uk | |
| | Paddy Jackman | p.jackman.1@bham.ac.uk | |
| 3 ASRA Members | Michael Ball | MBall@lincoln.ac.uk | 01522 886231 |
| | Karen Burke | k.burke@shu.ac.uk | 0114 225 4510 |
| | Tom Bates | tgb@aber.ac.uk | |
| 3 AUDE Members | Harmohinder Bahl | hbahl@brookes.ac.uk | 07798810904 |
| | Duncan Stiles | D.Stiles@warwick.ac.uk | |
| | Vacancy | | |
| 1 CHEIA Member | Barry Frankham | b.l.frankham@brighton.ac.uk | |
| 3 CUBO Members | Helen McGlashan | Helen.Mcglashan@manchester.ac.uk | 0161 306 6119 |
| | Bryan Carroll | Bryan.carroll@solent.ac.uk | 02380 319421 |
| | Kirsty Woodward | kjw35@le.ac.uk | |
| 2 MHCLG Members | Alice Davies-Digges | Alice.Davis-Digges@communities.gov.uk | |
| | Sarah Amer | sarah.amer@communities.gsi.gov.uk | |
| 2 NUS Members | Eva Crossan Jory | Eva.Crossanjory@nus.org.uk | |
| | Vacancy | | |
| 1 USHA Member | Vincent King | Vincent.King@brunel.ac.uk | |
| 2 UUK Member | Chris Hale | Christopher.hale@universitiesuk.ac.uk | |
| | Samuel Roseveare | Samuel.Roseveare@universitiesuk.ac.uk | |
| 1 AUE Member | Heather Loosemoore | aa8783@coventry.ac.uk | |
| Council Representative | Ian Wright | IWRIGHT@oxford.gov.uk | |
| | CIEH Vacancy | | |
| University UK CoP Administrator | Claire Furnival | uukcop@cubo.org.uk | 07958 599 947 |

# APPENDIX B

## SECTOR ADVISORY GROUP TO THE UNIVERSITIES UK/GuildHE ACoP

## FOR THE MANAGEMENT OF STUDENT HOUSING

| | | | |
|---|---|---|---|
| 2 ASRA Members | Michael Ball (Chair) | mball@lincoln.ac.uk | 01522 886231 |
| | Vacancy | | |
| 2 AUDE Members | Mark Hughes | m.hughes@worc.ac.uk | 01905 542250 |
| | John Plumridge | john.plumridge@bcu.ac.uk | 0121 331 5355 |
| 1 CHEIA Member | Barry Frankham | b.l.frankham@brighton.ac.uk | |
| 3 CUBO Members | Deirdre McIntyre | d.mcintyre@bangor.ac.uk | 01248 388496 |
| | Mel Parrott | mel.parrott@kellogg.ox.ac.uk | |
| | Helen McGlashan | Helen.Mcglashan@manchester.ac.uk | 0161 306 6119 |
| 2 NUS Members | Eva Crossan Jory | Eva.Crossanjory@nus.org.uk | |
| | Vacancy | | |
| 1 USHA Member | Vincent King | Vincent.King@brunel.ac.uk | |
| 1 AMOSSHE Member | Fay Sherrington | sherrinf@edgehill.ac.uk | 01695 584377 |
| 1 AUCSO Member | Steve Exley | s.exley@qmul.ac.uk | 020 7882 6972 |
| University UK CoP Administrator | Claire Furnival | uukcop@cubo.org.uk | 07958 599 947 |