# Voluntary Accreditation Schemes: Handbook for Practitioners

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*DEVELOPING A VOLUNTARY ACCREDITATION SCHEME FOR PRIVATE LANDLORDS*

**ACKNOWLEDGEMENTS**

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# *ACKNOWLEDGEMENTS*

**Aim of this guide**

This guide aims to:

- set out good practice on the conception, development, establishment, operation, review and upgrading of voluntary schemes of accreditation for privately rented housing

- promote the merits of voluntary accreditation schemes in the context of the increasing size and importance of the private rented sector in meeting housing requirements, including the needs of vulnerable households

- map out the key issues for accreditation scheme providers, landlords and tenants to consider in designing and developing schemes

- stimulate continuing debate in the housing sector on evolving good practice.

**Readership**

This guide is aimed at housing professionals in the public, voluntary and commercial sectors, including strategy leaders, voluntary accreditation scheme designers and managers, and landlord associations. It will also be of interest to environmental health practitioners, planning professionals, landlords, tenants and accommodation managers in higher education institutions and other organisations whose relationship with staff / client base includes a residential need.

**Scope and methodology**

Preparation of this guide has not included any new research. It relies, crucially, on the goodwill and enthusiasm of people across the housing profession in sharing experiences and good practice. This was harnessed primarily through two seminars convened for this purpose. Invitation and attendance was broad-based, including representation from across England and from local authorities, different types of accreditation scheme, voluntary organisations, landlord associations, higher education institutions and students' unions. Case studies were commissioned on the basis of the debate generated within the seminars.

This handbook does not cover Scotland, because of the establishment of a national accreditation framework there. Nonetheless, many of the principles and much of the good practice identified in this guidance are offered as relevant to the operation of accreditation in Scotland. Similarly, Wales has its own unitary scheme, but, because there has been and continues to be close association of arrangements in Wales with major skills-based schemes in England (eg the London Landlord Accreditation Scheme), this guidance is likely to be of more interest to practitioners in the principality.

This guidance also relies on the existing body of research and literature available. In particular, this handbook incorporates substantial material from *Developing a voluntary accreditation scheme for private landlords: a guide to good practice*, written by Professor Philip Leather for the Department of the Environment, Transport and the Regions. Published in 2001, when accreditation was an emerging force, this guide contains many points of good

practice which continue to apply today. While, for this reason, retaining these points, the new handbook updates the guide where necessary. Specifically, it builds on Professor Leather's guidance on developing a scheme and offers further information and advice, including in the areas of funding, scheme design, agents and incentives. These are set within the current context of a generation of schemes which have matured and professionalised since 2001; local government retrenchment; and greater reliance on the private rented sector for housing supply.

This handbook has been written with general application in mind. It is not limited to schemes for private landlords, but extends to those concerned with accommodation owned / managed by a variety of providers, including higher education institutions. In particular, the scope has included an exploration of ways in which to involve agents in accreditation schemes, given their increasing profile in the market.

**Diversity**

The private rented sector is diverse and fragmented. Writing in 2008, Rugg and Rhodes identified ten distinct sub-markets, including young professionals, students, housing benefit claimants, people in tied housing and those in temporary accommodation. In terms of supply the sector can be characterised as having a few large private institutional and many small landlords. Landlords with fewer than 100 properties own approximately 90 per cent of the private rented stock.[1] The sector also differs from area to area. For example, some localities are host to high concentrations of resident students; others, by contrast, are dominated by high rental apartments. The handbook tries to take account of such local variations, but users will need to adapt it to their own circumstances.

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[1] *The private rented sector: its contribution and potential,* Centre for housing policy, University of York, 2008

**PART ONE: INTRODUCTION**

# *CHAPTER 1: MAKING THE CASE FOR VOLUNTARY ACCREDITATION SCHEMES*

**What is a voluntary accreditation scheme?**

A voluntary accreditation scheme is an arrangement under which suppliers of rented housing voluntarily agree to meet a set of benchmark standards relating to:

- the physical condition of the accommodation

- housing management

- the relationship between landlord and tenants.

Accreditation is a means of codifying standards in order to promote best practice. It is also about landlords making themselves *accountable* to scheme operators and, ultimately, to consumers.

Schemes are administered by an independent body to check that the required standards are met. Independent bodies currently running schemes include:

- local authorities

- higher education institutions (HEIs)

- voluntary sector organisations acting as the agents of HEIs

- landlord associations

- joint partnership schemes

- ANUK.

Generally, there are incentives to membership, such as public recognition of having met the scheme standards, access to information and advice, advertising of accredited properties, or (less frequently) access to publicly financed grant aid with the cost of building work.

The Evolution of Accreditation Schemes

Accreditation started to be used as a means of acknowledging and encouraging good private landlords in the mid-1990s. Some higher education institutions and their agencies were responsible for much of the early pioneering activity, along with some local authorities. For universities and colleges, accreditation schemes were identified early on as a valuable vehicle for helping secure good accommodation for their students.

Often taking their cue from the higher education sector, local authorities built on an evolving dialogue with landlords (eg, through a landlord forum and a designated liaison officer) and established voluntary accreditation schemes for the private rented sector to help raise the

standards of management and property conditions for the benefit of existing and potential tenants. By the late 1990s increasing numbers of local authorities were operating accreditation schemes across their entire administrative areas.

For landlords, being a member provided better access to information on their obligations and rights in relation to tenants and help in dealing with any problems that arose with tenants and properties, as well as recognition of the quality of their service and access to publicity.

For local authorities, accreditation schemes grew up against a background of increasing reliance on the private sector in the supply of rented housing (as demand for social rented housing outstripped supply). In recognising this, central government commissioned the University of Birmingham in 1999 to undertake research into the operation and benefits of accreditation. The positive findings encouraged the government to support and encourage accreditation and in 2001 it issued comprehensive guidance to local authorities on how to successfully develop and operate accreditation schemes.

This stimulated further interest and resulted in the first National Accreditation Scheme Fair, hosted in Leeds in 2002. Feedback from this event indicated that a wide range of groups / individuals in the private rented sector wished to form a networking organisation to promote accreditation. The Accreditation Network UK was established in fulfilment of this wish. A survey conducted by LACORS in 2008 found that 40 per cent of local authorities operated accreditation schemes.[2] Support for accreditation is broad-based and, as well as central and local government, includes landlord associations, Shelter, the National Union of Students and the Chartered Institute of Environmental Health.

However, while the power of accreditation schemes as a form of self-regulation to achieve better housing standards and to hold landlords to account tells a positive story, since 2008 the progress of the movement has faltered in the face of recessionary forces. So it is again necessary to make the case for accreditation schemes and investment in them, notwithstanding heavy cuts in local government funding.

More recently, local authorities have taken the lead in establishing overarching bodies which coordinate accreditation within their area so that they, and consumers, have a clear idea of who and what is accredited and have used this to concentrate enforcement (often under "rogue landlord" initiatives) more effectively towards non accredited areas.

What is the case for accreditation?

*Advantages for participants*

Operated effectively, accreditation schemes can be a powerful tool for achieving a wide range of objectives and for providing significant benefits for their participants.

Politically and socially, they can be effective in:

- raising housing standards (in addition to the legal minimum)

- regenerating deprived neighbourhoods

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[2] *Landlord accreditation survey*, LACORS, 2008

- isolating and exposing providers responsible for poor housing and management standards and making it easier for statutory agencies to use their enforcement resources against those landlords who either cannot or will not improve

- recognising landlords who comply with scheme standards

- helping settle homeless people in rented accommodation

- improving relationships between local authorities and the landlord community and creating a constructive atmosphere in which to raise standards through partnership and incentivisation.

For landlords and tenants they can:

- provide a defined, fair and objective framework within which to deal with each other

- reflect a balance of common sense obligations and responsibilities between landlords and tenants

For tenants accreditation schemes typically:

- enable them to identify good landlords

- give confidence that the property they are renting is of a good standard and is properly managed and regulated

- provide assurance that repairs and maintenance are carried out to defined timescales

- provide assurance that any deposits required will be used for specified purposes and will be returned promptly at the end of the tenancy with an explanation of any deductions made (where these standards are included in the scheme)

- give clarity and transparency on contracts and on management practices and routines

- show them where to go for help if problems arise and provide a codified complaints process, including a referral mechanism for independent consideration and decision

- give general consumer protection.

For landlords the benefits often include:

- being able to badge themselves as a scheme member, signalling that they meet a set of professional standards

- discounts on regulatory fees such as licensing or exemption from additional licensing requirements (where implemented)

- a range of membership incentives, typically including supplier discounts on goods and services and enhanced access to local authority services

- help with training and continuing development to enable landlords to provide a properly professional service and to reduce exposure to the risk of legal non-compliance and its possible consequences (especially for skills-based schemes)

- giving them a competitive advantage in the marketplace

- having the certainty that an objective frame of reference for housing management gives them

- helping ensure that tenants understand they have responsibilities as well as rights

- less time spent on dealing with dispute / complaints, thanks to greater clarity on mutual expectations and a written procedure for handling complaints

- lower turnover of tenants and reduced void periods

- adding value to their properties, possibly commanding higher rents

- less misuse of properties

- networking and enhanced scope for business deals with peers

- opportunities for participating in scheme development, monitoring and review

- an improved relationship with, and sense of participation in the activities of, local government and strategy development

## The social and economic context

### *The market*

The private rented sector has grown enormously in significance in the housing market in the last two decades. The 2011 Census results show structural shifts in the housing market and housing tenure in England and Wales over the last ten years:-

a)    *a steep rise in private renting*

Since the last Census private renting has increased by almost 50 per cent. Over that period the number of private rented households rose by 1.63 million and private rented units rose from 12 to 18 per cent of all dwellings. As a proportion of the population, the number of households renting privately increased from nine per cent (1.9 million) in 2001 to 15 per cent (3.6 million) in 2011. So one in six households is now living in the private sector.

Although the total number of households in England and Wales expanded by 1.7 million over the decade, the private rented sector accounted for 95 per cent of the increase. Overcrowding has increased, with nine per cent of households (two million) having one

bedroom too few for the number of inhabitants. In 2001, seven per cent of households (1.7 million) were overcrowded.

b)   *a parallel fall in owner occupation*

The growth of private renting has largely been at the expense of owner occupation. The proportion of people owning their own home has fallen from 69 to 64 per cent of all housing since 2001.

c)   *a major transfer from local authority owned social housing to registered social landlords*

Although the level of social rented housing has remained roughly constant, the growth of the private rented sector means that, for the first time since the 1960s, *more people are living in privately rented accommodation than in social housing.*

These fundamental changes in the balance of tenure can be attributed to many factors, including:

- deregulation of rents and security of tenure in the private rented sector since the late 1980s (Housing Act 1988)

- in the late 1990s and the early 2000s the greater availability of 'buy to let' mortgages, which offered cheaper financial deals for the purchase of property to let

- supply and demand trends in the housing and labour markets

- a decline in the attractiveness and accessibility of owner occupation (particularly for first-time buyers) as a lasting legacy of the 2008 banking crisis, still evident in poor lending conditions and a limited bounce-back in public confidence

- reduction in the supply of new social housing tenancies (housing registers almost doubled in the first decade of this century)

- rapid growth in full-time student numbers until 2011/12, with gradual growth since then

- increases in the numbers of migrant workers entering the UK from abroad

- a low level of new house building activity.

The growth in private renting is not likely to be a short-term trend. Although most households still aspire to home ownership, a still-weak economy, uncertain employment prospects, tougher mortgage lending criteria and a growing shortage of housing keeping prices relatively high (and rising in many markets) are likely to place ownership out of the reach of many. There will be a continuing reliance on private capital for investment in housing and for the management of rented properties. As a source of housing supply, the private rented sector has not been as important for 40 years, and it is set to become more important still.

The significance of the change in housing tenure is well illustrated by a century-long comparative picture compiled by the Office for National Statistics[3]:-

[3] based on data from the Department for Communities and Local Government and the 2011 Census

# A century of home ownership and renting
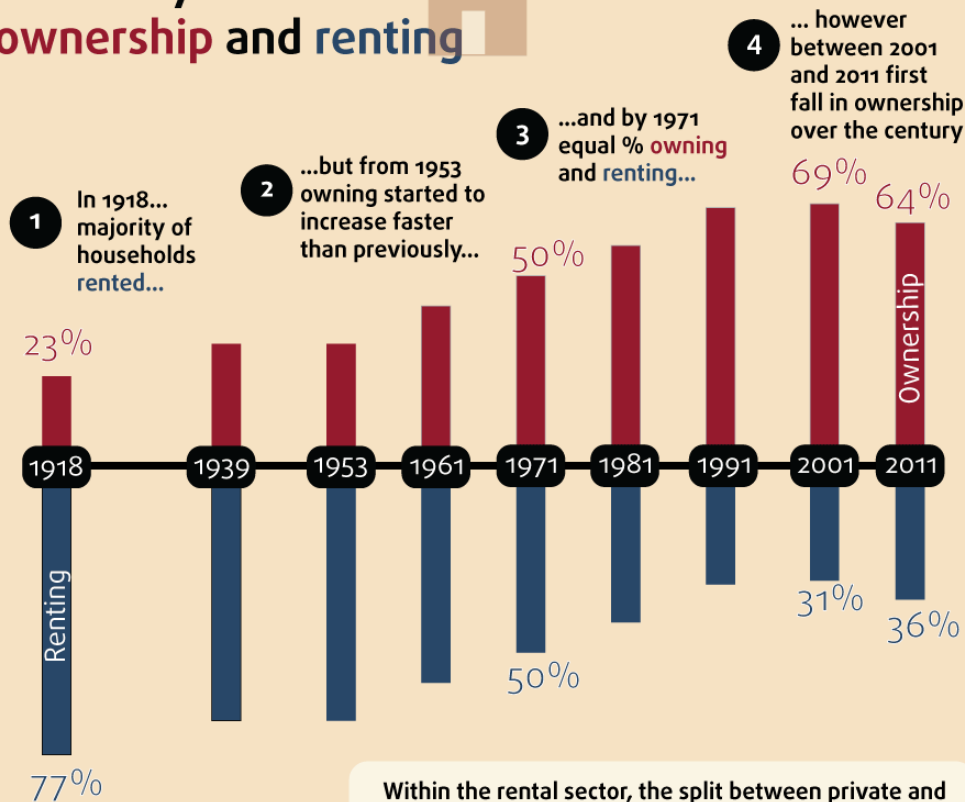
**1** In 1918... majority of households rented...

**2** ...but from 1953 owning started to increase faster than previously...

**3** ...and by 1971 equal % owning and renting...

**4** ... however between 2001 and 2011 first fall in ownership over the century

Ownership

23%  50%  69%  64%

1918  1939  1953  1961  1971  1981  1991  2001  2011

Renting

77%  50%  31%  36%

Within the rental sector, the split between private and social renting has changed over the past century

## Renting

80%

76% privately renting

60%

40%

31%

20%

1% socially renting

11%  18%  18%

1918  1939  1971  1981  1991  2001  2011
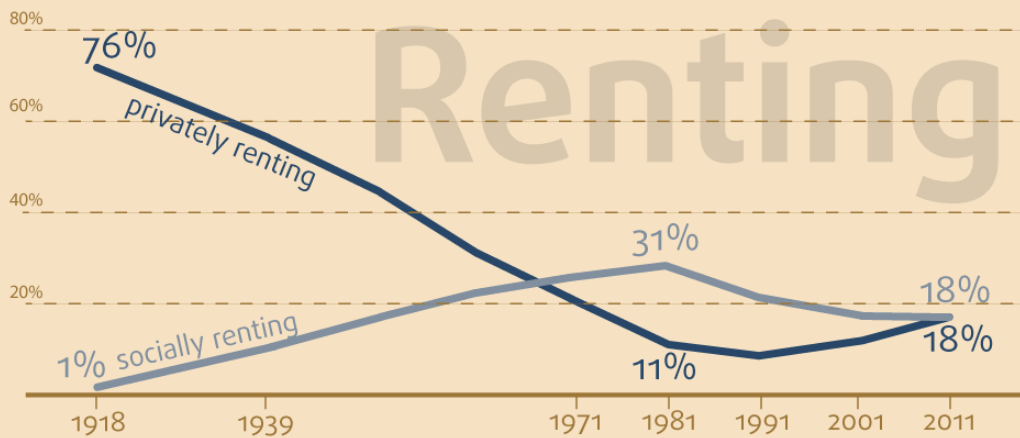
**1** Social renting increased following the Housing Act of 1919...

**2** ...and by 1981, 31% of households were in socially rented homes...

**3** ...but social renting fell following the introduction of the 'Right to Buy' scheme in 1980...

**4** ...and by 2011 the percentage of households socially renting had fallen back to 18%

Source: Department for Communities and Local Government (DCLG) & Census

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Changes in consumer attitudes have followed these shifts in the market. The private sector is no longer perceived as just the last resort for socially displaced people. It is no longer reserved for poor and vulnerable members of society or for students and young professionals. More than 1.3 million families with children are now living in private rented accommodation. This figure has more than doubled in the last five years alone. For many people there is a recognition that home ownership is not within their realistic horizons. More than half of tenants tell Rightmove that they are 'trapped renters' who would like to buy but simply cannot afford to. But for many other renters, particularly young people (but by no means only poor young people) renting is a more positive option which offers flexibility and mobility and low entry and exit costs, particularly valued in a depressed jobs market. In many cases it is cheaper to rent than to buy and even if it is not, it does not require a large deposit and a long-term commitment to mortgage repayments. For millions renting has become the norm and for a significant proportion of renters it is a choice actively made.

*Quality in the private rented sector*

According to the English Housing Survey report just under five million dwellings (21.8 per cent) failed to meet the decent homes standard in 2012, a reduction of some 417,000 compared with 2011. However, the incidence of non-decency was much higher in private rented dwellings than in the social rented or owner occupied sectors.[4] This was not surprising in the past when the sector was largely made up of older dwellings, but it remains the case even with an influx of newer properties in the last two decades. In the owner occupied sector it is the resource and attitude of owners that determine housing conditions, but in the rented sector it is the investment decisions of landlords that matter. Overall, it is clear that private landlords in aggregate are less willing to provide high standard housing than social rented landlords, and this is one of the key areas that accreditation schemes seek to address.

Although the EHS data relates specifically to property standards and does not extend to management standards, the patterns of non-decency identified in the 2012 report do provide a good indication that proper, professional management is important to reduce non-decency in the private rented sector.

*Homes failing decent homes criteria, by tenure, 2012 (percentages)*

|  | Minimum standard (HHSRS) | Thermal comfort | Repair | Modern facilities | All non-decent |
|---|---|---|---|---|---|
| **Private sector** | 14.8 | 8.1 | 5.0 | 1.5 | 23.1 |
| Private rented | 18.9 | 15.2 | 7.9 | 2.7 | 33.1 |
| Owner occupied | 13.7 | 6.1 | 4.2 | 1.2 | 20.3 |
| **Social sector** | 6.1 | 5.4 | 3.5 | 2.3 | 15.2 |
| Local authority | 7.6 | 3.4 | 4.6 | 2.9 | 16.3 |
| Housing association | 4.8 | 7.1 | 2.5 | 1.8 | 14.3 |

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[4] *English Housing Survey headline report 2012/13,* DCLG, p44

*Regulation and planning control*

To improve housing conditions it is essential that those who let and manage rented properties are properly held to account for the service they provide, ie for the quality of the accommodation and its management.

In the past a variety of forms of legislation have been introduced to try to improve standards in housing and housing management and to extend planning control. In recent years regulation has burgeoned:

- the Housing Act 2004 – introducing the statutory duty to work with good landlords through licensing, as well as dealing with unlawful practice

- the Housing Health and Safety Rating System (HHSRS)

- licensing and additional licensing

- deposit protection

- government-approved codes of practice for larger developments

- the Regulatory Reform (Fire Safety) Order – risk assessment for larger houses in multiple occupation

- LACORS guidance in fire

- the Health Act 2006 – smoke-free areas

- equality legislation

- Energy Performance Certificates

- planning regulation: the Use Class Order and Article 4 Directions

- amendment to the Enterprise and Regulatory Reform Act 2013 – enabling the government to require letting and managing agents to belong to an approved redress scheme available to aggrieved tenants and landlords[5].

- Immigration Bill – including a duty on landlords to check tenants' immigration status

- a requirement to provide smoke detection and in some circumstances carbon monoxide detection

- a requirement that those managing properties for others should, in most cases, have to subscribe to a right of redress scheme which can adjudicate in the event of a dispute between landlord and tenant

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[5] *The redress schemes for lettings agency work and property management work (approval and designation of schemes) (England) Order 2013*

- The need to be clear about agents charging fees with a cross-party commitment to ban these fees in the future

- Housing (Wales) Act 2014 – including changes in homelessness law, the introduction of a compulsory licensing scheme (RentSmart Wales) and the empowerment of local authorities to charge more than the standard Council Tax rate on homes empty for over a year

- Housing (Scotland) Act 2014 – including the creation of a new Housing Tribunal and the introduction of a regulatory framework for letting agents.

The effectiveness of the measures already on the statute books has been highly variable. A major part of this arises from the high cost of effective enforcement. As an activity, licensing expends significant resources on checking good landlords, often already known as good landlords by the authority. Areas where high levels of enforcement activity are necessary to support regulation have fared poorly as a direct result of inadequate resources. Figures published by local authorities indicate low levels of inspections, hazard removal, licence revocations, prosecutions and management orders. Perhaps significantly, this study has been unable to identify the availability of any national figures on the costs of licensing and the level of enforcement action.

While resourcing of the enforcement function has always been a problem, the scale of recent and ongoing local authority reductions in staffing and other resources has brought its credibility into question: the high level of activity in promulgating regulation obscures the reality that some of it is an idling wheel, struggling to engage with the low resource dedicated to supporting its enforcement. There is little prospect of any reversal in these reductions and indeed austerity and cuts to local government funding are set to continue.

The future of enforcement as a leading instrument in itself for ensuring statutory compliance and raising housing standards is therefore limited. In grappling with this assessment, many local authorities and housing strategists have concluded that enforcement action, in all but health and safety (particularly fire safety), should be seen as a last resort with greater emphasis on education and support for housing providers. However, without a strong framework of accountability, education and support are likely only to have very limited success in helping local authorities to discharge their statutory duties adequately. Voluntary accreditation schemes are the key vehicle to providing a robust framework within which education and support can be translated into compliance and improvement. For this reason investment in such schemes should be usefully conceived by local government as part of a set of activities to help meet statutory and social obligations cost-effectively.

Licensing and accreditation are not mutually exclusive alternatives. If the demarcation of functions is right, accreditation schemes and licensing can work hand in glove. Accreditation can help to identify that part of the market supply which needs closer attention to ensure that standards are adequate. There is a useful taxonomy of providers and their attitudes to underline the point – those who are:

- willing and knowledgeable

- willing but not knowledgeable

- knowledgeable but unwilling

- unwilling and not knowledgeable[6]

In building membership, an effective accreditation scheme will draw in landlords in the first two of these categories and may attract some from the others. In doing so, it engages landlords and makes them accountable – two key outputs from accreditation. Meanwhile, the residual providers will be more easily identified as irredeemably non-compliant. In an over-supplied market, high consumer awareness and effective branding of an accreditation scheme may in themselves serve, in time, to put these landlords out of business. In more balanced or under-supplied markets, the isolation of poor landlords by good accreditation schemes enables local authorities to target them more effectively for statutory enforcement and prosecution. If a local authority is undertaking the job of licensing on a credible scale, consistent with the discharge of its statutory duties, accreditation will save money spent on licensing activity.

Where landlords are given regulatory exemptions because they are accredited, and abuse that privilege, in the event of non-compliance they can be removed from the accreditation scheme and thus become subject to full legislative compliance and targeted enforcement.

Given the context of increasing reliance on the private rented sector and fewer resources for enforcement, this should be a Golden Age of accreditation, but in practice, the number of local authority sponsored schemes is in decline. Without accreditation schemes, however, it is likely that awareness of the increasingly low risk of consequence for legal non-compliance will reduce standards. Local authorities retreating into statutory functions at the expense of accreditation may produce financial savings in the short term but are unlikely to be seen to contribute to the public good in the longer run. Conversely, local authorities setting up, renewing, or supporting external, accreditation schemes help to raise standards and to marginalise landlords intent on non-compliance and poor practice.

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[6] As conceived by David D'Orton Gibson. Like all typologies, this is something of a caricature – housing providers are a highly segmented constituency – but this is an effective way of illustrating a point.

**Is accreditation appropriate everywhere?**

Accreditation may not be necessary or appropriate everywhere. There are two essential pre-conditions:

a)   There must be a genuine commitment to cooperative working on both sides. Voluntary accreditation only works when a significant number of landlords support it. Where landlords are sceptical or undecided, work will be needed to promote the benefits and negotiate over the appropriate incentives. Unlike compulsory registration, landlords must be *persuaded* to join an accreditation scheme. The scheme must be targeted at the right landlords and properties. Voluntary accreditation will not work across the whole private rented sector. The small minority of landlords who deliberately seek to avoid meeting their statutory obligations or providing a decent standard of management will require a different approach. Voluntary accreditation is most likely to work with well-intentioned landlords who see the benefits of receiving advice and practical help from the local authority, and who value the status or the increased likelihood of attracting tenants, associated with being officially accredited.

b)   The characteristics of the private rented market in a locality must also be taken into account. Where there is a high demand for private rented accommodation, landlords may see no reason to join unless there are very strong incentives, which will increase the demand on resources to run a scheme. By contrast, in areas where supply and demand are more closely balanced, membership of an accreditation scheme may give a real advantage in attracting tenants and landlord recruitment may be easier. In areas of very low demand that have attracted less well-intentioned landlords, compulsory measures may be more appropriate than voluntary accreditation.

But even in areas where it might seem difficult to attract landlords, hard work, the involvement of good people, and the right package of incentives have made schemes successful, while in other areas where conditions were more favourable, schemes have faltered because they were not developed or run in the best way. Hence the decision on whether it is appropriate or possible to develop a voluntary accreditation scheme is one that must be taken locally. Crucially, a decision must be made *in partnership with landlords themselves*.

But once a decision has been taken to go ahead, it is essential to do everything possible to ensure that the scheme is effective and successful in recruiting members, retaining their involvement, and in ensuring that good quality and well managed, accommodation is provided for tenants. As well as wasting time and resources for everyone involved, a weak scheme may do relations with private landlords and tenants, more harm than good.

Getting it right from the outset

Throughout this guidance, there is considerable emphasis on the early stages of scheme development, because experience has shown how far subsequent success is influenced by the early groundwork. If a scheme is set up to the satisfaction of all those involved, it is more likely to get off to a flying start and to continue to operate effectively. It is far harder to make changes to increase the attractiveness of a scheme or to re-launch it. The suspicions or

doubts of potential members will have been aroused. Wherever possible, examples have been provided to illustrate the points made, or to serve as a guide for the development of major elements of a scheme, such as standards. But these are obviously only illustrative. They should be considered in detail and adapted to suit local circumstances and take into account the views of those that schemes affect.

It is also essential to talk to others who have been involved in running a successful scheme. A guide such as this can only go so far by illustrating what works and cautioning against what does not. There is no substitute for committing time and resources to contacting neighbouring or other scheme operators, local authorities, universities, colleges and landlord representative bodies to see what they have achieved and how. Effort spent in getting things right at the outset will be repaid in terms of success once a scheme is operational. A list of accreditation schemes, by region, is available on the ANUK website www.anuk.org.uk.

The schedule and flowchart below summarise the processes for developing an accreditation scheme. The main steps are:

- recognising the need for a scheme

- appointing a project lead

- investigating the feasibility of a scheme with or within the local authority, including:

  o private sector team

  o grants section

  o housing advice

  o area renewal team

- consulting with a wide range of bodies, or better still, working in partnership with them to develop the main features of a scheme, including, for example:

  o local authority

  o local landlord group(s)

  o local tenant group(s)

  o local higher education institution(s)

  o local fire and police service

  o neighbouring local authorities

  o community groups

- developing a landlord forum if none exists

- forming a working group with key partners

- consulting with landlords more generally about their views on accreditation and producing a draft scheme

- consulting with local businesses to develop incentives

- networking with other scheme operators

- considering using other schemes as basis for the scheme design, including the ANUK landlord and tenant model accreditation scheme

- determining whether or not to levy a scheme membership fee towards running costs

- developing the draft scheme

- presenting to landlords and tenants and other significant constituencies

- amending the scheme further in consideration of the feedback

- securing firm agreement to final scheme design

- appointing staff to run the scheme

- developing detailed administrative systems and procedures

- procuring equipment and other infrastructural support as necessary

- launching the scheme and publicising it as actively as possible

- reviewing the scheme at intervals: quickly, in order to ensure it is on track and to make minor amendments if necessary; and after some time review its performance against objectives.

## Developing an accreditation scheme

```
┌─────────────────────┐              ┌─────────────────────┐
│ Agency considers need│─────────────→│ Agency designates lead│←┄┄┄┄┄┄┐
│ for scheme and decides│             │  officer for project │       ┆
│     to go ahead     │              └──────────┬──────────┘       ┆
└─────────────────────┘                         │                  ┆
                                                 ↓                  ┆
        ┌────────────────────────────────────────────────────┐    ┆
        │   Discuss viability of scheme with interested parties│    ┆
        └────────────────────────────────────────────────────┘    ┆
```

| Local authority, including housing dept (private sector team, housing benefit, grants section, housing advice, area renewal team) | Other local authority depts.(inc environmental health and planning) | Neighbouring local authorities | Local university/college |
|---|---|---|---|
| | | | Local fire/police service |
| | | | Local landlord groups |
| | | | Local tenant groups |

**Key partners from working party**

**Consult with wider landlord audience** ← Develop landlord forum if none

**DEVELOP DRAFT SCHEME** — Consult local businesses to identify incentives

**Present to landlords (landlord forum) to gain feedback** — **Present to tenants (tenant forum) to gain feedback**

**Invite all groups and landlords to LAUNCH OF SCHEME** ← Use of media to promote scheme

**Review when appropriate** ↔ **Regular update of scheme development via newsletter / forums / leaflets**

**Adapt scheme if necessary**

Scheme developers may wish to consider adopting a formal project management methodology within which to fit this generic flowchart and to rearticulate the process accordingly to incorporate, for instance, a business case, project brief, project initiation document, quality plan, risk register and stakeholder analysis.

Ten key good practice points

Although there are many aspects to good practice which are discussed in this guide, there are ten key points which, if followed, will go a long way to ensuring success. These are summarised below, and developed further in the remainder of the guide.

| | Ten key good practice points |
|---|---|
| 1 | **Gain top-level strategic and 'political' support at the outset**<br>• to ensure internal/local authority support for the scheme<br>• to secure resources. |
| 2 | **Tie scheme in with organisation's corporate objectives/local authority objectives (by department) and aims of other relevant bodies**<br>• to secure internal support<br>• to help landlords in dealings with the local authority departments and other organisations. |
| 3 | **Get the right person to run the scheme**<br>• to have the internal and external authority to act<br>• to have the skills to work with, not take action against, landlords<br>• to ensure that staff are provided. |
| 4 | **Get local landlords on board from the outset - remember this is voluntary accreditation**<br>• don't settle details internally and then attempt to impose them on landlords<br>• keep landlords involved over time<br>• listen to their views. |
| 5 | **Set clear and realistic standards**<br>• be up front with landlords about what you want - don't raise standards by stealth<br>• be prepared to negotiate on standards and their interpretation<br>• decide on what is genuinely not negotiable<br>• be up front with tenants about what is realistic<br>• consider graded standards. |
| 6 | **Develop clear and simple procedures and information on them**<br>• provide clear information to potential recruits<br>• follows the procedures consistently. |
| 7 | **Get the publicity right and persist with it - do not expect instant results**<br>• use written materials and every possible media opportunity to promote the scheme<br>• get landlords involved in promotion if possible<br>• launch the scheme and keep in the public eye. |
| 8 | **Get local tenants on board from the outset**<br>• make sure tenants know about the scheme<br>• target some publicity specifically on tenants<br>• involve tenants or their representatives in scheme development and keep them involved over time. |

| 9 | **Get the incentives right**<br>• talk to landlords about what they want<br>• be innovative and imaginative<br>• keep the incentives coming. |
|---|---|
| 10 | **Monitor and review the scheme**<br>• circumstances change - collect information on progress<br>• identify if things aren't going well and act quickly to address the problems<br>• get feedback from landlords and tenants as frequently as possible. |

**The important decisions**

Within the overall process of setting up an accreditation scheme, there are a number of key decisions that need to be taken and these can be summarised as follows:

*What is the scheme seeking to achieve?*

This is the most important question in developing an accreditation scheme. To answer this in detail requires an understanding of the local private rented housing market and the major problems that arise in the sector. This will guide subsequent decisions on the type of scheme to be adopted (eg skills-based or property inspection-based), areas, client groups and dwelling types to be covered, and the relationship of the scheme with other forms of action. Subsidiary questions include: should the scheme be about recognising standards or raising standards, or both? If both, consideration needs to be given to possible tensions between these two aims.

*Who will run the scheme?*

Will it be run by the local authority, by more than one authority jointly, by a university or college if applicable, by an independent body set up for the purpose, or by landlords themselves?

*What will it cover?*

The coverage of a scheme may be predetermined – for example if a university and the local authority are acting to improve conditions in student accommodation. Or this may be open for discussion – what geographical areas should be covered, which landlords are being targeted, what types of property are to be involved? Will the scheme cover HMOs, and if so, which types?

*What will the scheme standards cover, and what benchmarks will be used?*

If skills-based, what range of skills and depth of knowledge will be covered by the training programme? If property inspection-based, will there be one set of standards, or a tiered system, eg a base set plus a higher level variant(s)? This is a crucial area for negotiation between scheme developers, landlords and other significant groupings.

*If property inspection-based, will the scheme accredit landlords or their properties, or perhaps both?*

An important related question is: what is the appropriate balance between management and physical condition issues? Can landlords put some of their properties forward for a scheme, or must they submit all of them? Should the scheme include or exclude agents?

*How will compliance with scheme requirements be verified?*

For property inspection-based schemes, will it be by full and frequent independent inspection, sample or random inspection or self-certification by landlords. For skills-based schemes, will it be by verification of skills learned by providers from a training programme?

*What incentives will be provided to persuade landlords to join?*

Accreditation schemes are voluntary, so it is up to those running the scheme to develop the right range of incentives, to attract landlords and properties into the scheme.

The best approach will depend on local circumstances, but this guidance reviews the arguments for different approaches based on the experience of those organisations which have successfully developed accreditation schemes.

These questions are fundamental and need clear and decisive answers early on. The answers will significantly influence the approach adopted, the design of the scheme and running costs.

**Endorsing existing local accreditation schemes**

For a local authority, there may be a simple alternative to developing its own scheme. If there is a *bona fide* independent operator already running an accreditation scheme within the local administrative boundaries, it is a good idea to evaluate its operations and effectiveness with a view to awarding formal endorsement as 'local authority-approved'. Criteria for determining whether a scheme warrants endorsement should include:

- a satisfactory code of standards / practice / conduct

- sufficient resources to operate a scheme effectively

- a satisfactory mechanism to undertake compliance checking, complaint investigation and disciplinary action.

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*ANUK PROTOCOL AGREEMENT*
*ENDORSEMENT BY THE AUTHORITY OF AN ACCREDITATION SCHEME*

- *All members of the accreditation scheme will comply with the requirements of its Code of Practice.*
- *Any member not complying with the Code will be expelled from the scheme.*
- *The Authority will endorse the scheme in respect in respect of property, management and personal professional standards.*
- *The Authority will promote membership of the scheme and provide positive publicity.*
- *Names of all members of the endorsed scheme will be provided to*

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*the Authority if requested.*

- *In the event that the Authority find the condition of a property owned by a member of the accreditation scheme, its management or the personal conduct of the member to be substandard within the requirements of the scheme, details will be referred to the scheme's management board for their investigation and remedial action. This is without prejudice to the Authority taking enforcement action against the landlord concerned.*
- *The Authority will inform tenants when referrals have been made. Tenants will retain the right to require the local authority to undertake enforcement action in cases where there is a breach of statute.*
- *If the Authority makes regular referrals of a particular accredited landlord, thus indicating general non-compliance with the scheme, the scheme operator will undertake a check of a proportion of the member's property portfolio and take appropriate remedial/disciplinary action should there be a lack of co-operation.*
- *The endorsed scheme will include the adoption of agreed best practice by members of the scheme not simply compliance with minimum standards.*
- *The operator of the endorsed scheme will be a consultee of the Authority in the setting and review of property, management and standards of conduct*
- *The scheme operator will provide details of and operate to the Authority's satisfaction, a system for monitoring the compliance of the Code of Practice by its members and for taking disciplinary action for non-compliance.*
- *The scheme operator must satisfy the authority that it can provide adequate resources to monitor compliance with the requirements of its scheme and take disciplinary action if needed.*
- *The Authority and scheme operator reserve the right to discontinue the protocol agreement upon giving notice to the other party.*

*Signed ……………………………………………… Chief Housing Officer Date*
*Signed ……. ……………………………………Chair of the Accreditation Scheme Management Board Date*

# PART TWO: THE PROCESSES FOR SCHEME DEVELOPMENT, OPERATION AND REVIEW

# *CHAPTER 3: PREPARING THE GROUND*

**First steps**

The idea for an accreditation scheme may originate within a local authority (or group of authorities), a voluntary organisation, a group of landlords, or a university or college. Each of these parties will wish to consider its own position before deciding to talk to others in case it decides not to go ahead. But the sooner that all constituencies likely to be affected are aware of a proposal and can become involved, the more likely they are to feel ownership and commitment and the greater the opportunity to ensure that a scheme meets everyone's minimum requirements.

Where a university is promoting the scheme, it may only be concerned with securing safe, affordable and appropriate accommodation for its students and with avoiding any adverse impact on the local community. The position will be similar for an NHS Trust looking to provide accommodation for staff. Where local landlords initiate the scheme, their objectives may be related to securing market advantage for the responsible and competent landlord and combating negative images of their role and activities.

The position for a local authority is more complex. It should consider its statutory responsibilities for meeting housing need, improving housing conditions and ensuring that it meets its obligations on management practices, tenancy conditions, and the administration of housing benefit. It should look at how a scheme fits in with broader objectives, for example, relating to regeneration policies. As local authorities commonly provide some of the resources for accreditation schemes, they must consider whether this fits in with other priorities. But it is best to keep advance internal discussions to a minimum, and to be prepared to modify proposals in the light of consultation outcomes.

Fitting in with other policies

A stand-alone accreditation scheme without connections to the local framework of housing and wider social policies is at risk of failing to win sufficient support. Making these connections is about demonstrating the wider benefits of an accreditation scheme, showing how a scheme can contribute to achieving broader social objectives, building political support and securing the goodwill of local authority services in providing operational support and incentives for members.

Housing strategy

Whatever its origins, a proposal to create an accreditation scheme needs to be framed to take proper account of the local authority's housing strategy. The strategy will address the scale and nature of private rented sector provision, housing conditions and management standards within the sector, the role which the sector serves, or could serve, in meeting housing need, as well as the range of other policy interventions available (for example, enforcement of housing legislation, compulsory registration and provision of grant aid).

For local authority-led schemes, it is essential that scheme developers consider carefully the impact of accreditation on the private rented sector and on provision for groups who are particularly dependent upon it, such as, young single people or students. For schemes led by other agencies, consultation with the relevant local authority or authorities on these matters is of vital importance to ensure strong and durable political support.

Local authority empty property initiatives

Increasingly, local authorities have a strategy for bringing empty properties back into use. It is important that scheme developers, whether from within or outside the authority, explore scope for making a link between an empty properties initiative and the accreditation scheme, as this can be extremely productive. Often empty property is in the hands of people with little or no experience of managing rented property. Joining an accreditation scheme will give them access to advice and support and provide a benchmark for property conditions and management standards.

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**_Wakefield Responsible Landlords Accreditation Scheme: empty homes initiative tie-in_**

_Landlords in the accreditation scheme who are interested in buying properties can register their interest with the Empty Property Team. They can specify the area and size of property they are interested in. When there are owners who are keen to sell, the Empty Property Team can bring both parties together. By this means owners can sell their properties and the landlords will have to refurbish them and let them to the accreditation standard. This increases the supply of good standard accommodation to rent in the district._

_Interest free loans are available up to £5,000 over two years in order to assist landlords in meeting the standards. There is also an HMO conversion loan available on the same terms for owners who wish to convert properties to the multi-occupancy standard._

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Local authority objectives and policy connections

Whether an accreditation scheme is initiated and run from inside or outside the local authority, it must be set within the context of broader council objectives and policies. As well as influencing the management and condition of housing, a scheme might contribute to:

- stimulating investment and economic growth by creating an attractive supply of rented housing for those moving into the area

- reducing crime and strengthening community safety

- creating a sustainable healthy environment

- meeting the community care needs of vulnerable people

- building partnerships to provide effective services

- tackling social exclusion.

Establishing the contribution which an accreditation scheme will make to broader local authority objectives will help make the case, strengthen political support and secure funding and contributions in kind.

## Accreditation objectives

It is essential to have objectives that have been agreed by all the key parties to guide the development of a scheme, and to set up systems for the collection of baseline data to measure its success. At the outset, there is a tendency to focus on the mechanisms and detailed content of the scheme, but it is better to work down to these from a shared view of what the scheme is seeking to achieve. Since membership of a scheme is voluntary, landlords' views must have a strong influence on objectives. The most common scheme objectives relate to securing good standards of condition and management and providing better information for landlords and tenants. Chapter 7 discusses the monitoring and review of scheme objectives.

*Possible objectives for an accreditation scheme:*

- improve the quality of accommodation available in the private rented sector
- increase the supply of good quality accommodation available in the area
- improve standards of management in privately rented accommodation
- help local authorities to focus available resources on dealing with providers of poor housing
- help landlords to find responsible tenants
- develop joint approach to tackling anti-social behaviour
- provide advice and support to landlords in providing high quality, well managed accommodation
- improve the satisfaction of landlords with the services they receive from the local authority
- provide a channel for consultation between local authority and landlords on strategic issue
- provide opportunities to inform landlords about legislative proposals, policy or administrative changes, and other matters that may affect them
- enable landlords to obtain better access to information from local authority staff

- improve access for landlords to a range of council contacts and services
  reduce the number of landlord/tenant disputes needing intervention by council
  officers
- enable tenants to obtain information about and get access to better quality
  accommodation.

Further ideas for objectives are set out in the Introduction: Making the case for accreditation schemes.

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**The Leeds Rental Standard**

*is a badge developed by Leeds City Council that establishes an overarching minimum standard for privately rented accommodation across the city. The Leeds Rental Standard operates under the following existing schemes:*

*Residential Landlords Association Accreditation Scheme*
*National Landlords Association (NLA)*
*Leeds Landlord Accreditation Scheme (LLAS)*
*Unipol Code*
*ANUK / Unipol National Code (for larger student developments)*

*The Standard is overseen by a Committee of Management and verification processes (to ensure compliance) is overseen by a separate Audit Panel.*

*The scheme has a single point complaints process for tenants and all complaints from tenants of accredited properties and landlords are dealt with through this system first.*

**Tenants**
*Aims:*
- *To enable the identification of good landlords committed to providing good quality accommodation that meets reasonable standards of health and safety, management and tenant welfare in accordance with the scheme*
- *To assist tenants to get access to the private rented sector (PRS)*
- *Quick and effective remedy of shortfalls*

**Landlords**
*Aims:*
- *Acknowledge and encourage responsible landlords and give them a competitive business advantage and also enhance the image and reputation of the PRS in general*
- *Support landlords in encouraging tenants to be good tenants and neighbours*
*Objectives:*
- *Put mechanisms in place to enable the above aims to be met*
- *Specifically, to have sufficient benefits of membership to encourage landlords' commitment to the scheme*

**Communities**
*Aims:*
- *To encourage landlords to properly maintain and invest in properties to keep them in good order so as not to be detrimental to the local amenity*

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- *Improve community safety*
- *Reduce anti-social behaviour in tenants*
- *Landlords maintain their properties in satisfactory physical condition, properly managed and maintained, and comply with the scheme's security requirements*

### Leeds City Council
*Aims:*
- *Empower landlords and tenants to set, achieve and monitor standards by negotiation between themselves and to complement the enforcement aspects of the PRS*
- *Facilitate improvements in the quality of residential services in PRS across all segments*
- *target scarce resources on the worst landlords and assist the best to meet standards voluntarily.*

Ensuring a coordinated approach

The benefits an accreditation scheme will bring to members should be clarified at an early stage. It is essential that all partners in developing and operating a scheme commit to a properly joined-up approach from an early stage so that all the benefits offered to landlords can be delivered. This applies whether a scheme is to be developed and located within or outside a local authority, but the sponsorship of senior council leaders is particularly important as many key benefits and incentives need the cooperation of a range of local authority departments and must be secured at an early stage. In this context relevant local authority functions relating to private rented housing include:

- providing housing advice
- ensuring that legal requirements on condition and management standards are met
- providing help to homeless people
- tackling poor housing conditions
- promoting community safety
- exercising planning controls.

Securing political support

Political support at a senior level within the local authority is essential for any accreditation scheme, whether it is within or outside council control. Many schemes, whatever their origin, rely at least partly on funding from the local authority. Any non-statutory initiative like accreditation needs strong support from council members if funding and/or contributions in kind are to be secured.

Additionally, it is important – particularly for schemes initiated outside a local authority – to secure the support of another significant local agency, such as a landlord association or a higher education institution, again at a senior level.

For schemes proceeding on a cross-agency (typically trans-authority) basis, significant effort is required to sell the idea and make the case strongly and consistently to each of the parties involved. Keeping the commitment of all partners is essential for the stable footing of such schemes and their even development.

Testing feasibility

A feasibility study or business plan can help to make the case for accreditation. It should set arguments for and against the scheme, and the steps and resources required to implement it. It should also assess the impact of the scheme and its potential on the full range of interested parties. The box below sets out a possible structure for a feasibility study.

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**Issues for a feasibility study or business plan**

- *rationale for scheme*
- *preliminary assessment of local appetite amongst affected groupings and prospects for political sponsorship*
- *background in legislation/national and local policy*
- *statistics – tenure/stock type, size, condition and risk profile/housing register*
- *numbers of landlords and properties within the intended area of operation*
- *the state of the local rented market and sub-markets, including the current supply / demand ratio, projected market trends, the level of consumer expectations*
- *models for accreditation schemes*
- *assessment of the experience of any existing or historic accreditation arrangements*
- *assessment of the experience of any neighbouring accreditation schemes*
- *benefits and disadvantages for landlords, tenants and the local authority*
- *impacts on the policies and targets of local authority departments*
- *staffing and roles*
- *draft budget*
- *management and reporting arrangements*
- *proposed activity levels and outcome targets*
- *outcome of preliminary consultations (if applicable)*
- *provisional implementation timetable*
- *publicity and recruitment plans*
- *recommendations for action.*

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# CHAPTER 4: TALKING TO OTHERS

Once the potential for an accreditation scheme has been explored internally, it is essential to begin discussion as quickly as possible with a wide range of other interested parties, and especially with landlords themselves.

**Doing a stakeholder analysis**

Compiling and maintaining a stakeholder[7] analysis is an important part of managing any project. First of all, there needs to be clarity about:

- who all the stakeholders are

- what their stake[8] in the proposals is in each case

- their potential impact on the project

- expectations of the stakeholder groups

- their perceived attitudes and/or risks.


Once these things have been mapped out and are clear, responsibility can be assigned for devising and implementing a stakeholder management strategy in each case.

An equalities impact assessment should be undertaken alongside the stakeholder analysis.

Taking account of past relationships

No accreditation scheme can be set up in a vacuum. For local authority-led schemes in particular, it is vital to take account of the past history of the relationships between the council, local landlords, tenants and other significant parties. There may be a long-standing culture of antagonism between environmental health officers and landlords or suspicion of the whole local authority from both tenants and landlords. There may have been recent difficulties over housing benefit payments that have built up resentment. There may have been a previous accreditation scheme that failed, and the reasons for this will be need to be discussed otherwise landlords are likely to be difficult to convince of the benefits of joining a new scheme.

It is essential to draw a line under past negative relationships and perceptions, and to work hard to create a collaborative ethos. The local authority will probably need to take a strong lead in developing better relationships, but where a scheme is being developed outside the authority by another agency, there may be an important brokering role to be played by that agency between the council and landlords.

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[7] *Stakeholder* here means groups / individuals that are either actively involved in the scheme set-up / operation; have interests that may be positively or negatively affected by the scheme set-up / operation; and /or may exert influence over the scheme set-up / operation – ie it  is used in its standard sense within the context of project management terminology.

*Leeds Rental Standard*

*In Leeds there was a history of poor relationships between the authority and some local landlords, which culminated in a series of expensive, and time consuming court cases. Both sides decided that it was time to make a fresh start. The authority decided to focus its enforcement activity on the small minority of bad landlords and to try to work in partnership with the remainder.*

*A student based accreditation scheme, run by Unipol and supported by the universities had seen considerable success in raising standards and a parallel voluntary accreditation scheme (Leeds Landlord Accreditation Scheme) was developed in partnership with the main local landlords' associations: this was later given to the RLA to run.*

*In 2017 all these schemes were brought together, through Council coordination, under the Leeds Rental Standard. Those running the schemes are now responsible, with Council support, for seeing the Standard operates properly and grows.*

*Wakefield Responsible Landlords Accreditation Scheme: building bridges between landlords and Strategic Housing*

*Historically there has been bad blood between a significant element of landlords in Wakefield and the Council's Strategic Housing Department. This was centred in the south-east of the district where landlords had bought up large numbers of former pit houses at very low cost. They had not used any vetting procedure in allocating the properties and as absentee landlords they were happy as long as Housing Benefit paid the rent. Because of escalating levels of anti-social behaviour, poor property standards and a lack of management, a decision was taken by the Council to compulsorily purchase the properties. This resulted in an area-based clearance scheme that involved the levelling of whole streets.*

*Against this background it was always going to be difficult to recruit landlords from this area. The scheme developers arranged to attend the local landlords association and were told bluntly that their members would not join any accreditation scheme. They were further advised that the association would expel any of their members who talked to the accreditation scheme developers.*

*The scheme developers obtained a list of all the landlords in the district from the Council Tax Office and approached them. The main tactic was to convince them that they would benefit more from accreditation membership than by being in their local landlords association. On a one-to-one basis landlords individually were a lot more receptive. It turned out that they didn't actually derive a great deal of benefit from their local association and the benefits of the accreditation scheme outweighed any negatives of being expelled from their association. One of the main selling points was landlord training, as the landlords were very out of date and poorly informed. They were also very keen to be promoted by the Council*

> *on the Council website and in public buildings, as they wished to attract potential tenants from a wider pool.*
>
> *The benefits for the Council are that the landlords are attending training events and contacting the Council for advice and assistance. Better informed landlords are less likely to break the law or transgress. They are working with the Council, taking advice and guidance which results in fewer disputes and a reduction in enforcement action.*
>
> *There is also now the potential for the Council to house people in the private sector in the knowledge that the properties will be of a good standard.*

Working with landlords

Schemes involving landlords from the outset fare better than those where the main features have been determined in advance and offered as a *fait accompli*. Some new schemes, set up after a great deal of effort, have failed to attract members on any significant scale. The reason, often, is that the scheme developers have not established meaningful dialogue with landlords at an early stage. It is crucial for scheme developers to understand the skills required, as a landlord, to succeed in the private rented sector and the constraints under which landlords operate. If they do not, they will quite simply fail to recruit enough landlords to make the scheme worthwhile. There is no point in a scheme which meets all local requirements but which has few properties accredited. Similarly, landlords need help to understand the constraints which schemes operate under and to appreciate what is not negotiable and why. A scheme which assumes that the culture of one stakeholder can be imposed on others is doomed to fail.

Engaging tenants in the development of an accreditation scheme

Contacting and consulting private tenants about accreditation proposals is of vital importance because they are, after all, the consumer of the services at issue, added to which their views and feedback are useful in helping gauge appropriate standards and aligning expectations.

*Tenant accreditation*

One approach to tenant engagement explored by ANUK and some scheme developers has been to put forward the idea of creating a tenant accreditation scheme to run in parallel to the landlord / property accreditation scheme. Tenant accreditation schemes vary but usually involve tenants signing up to a code of conduct and providing them with a certificate they can use as a reference in the future to show that they have been exemplary tenants. Typically, a tenants' code will set out obligations about showing respect for accommodation, neighbours and the contract with the landlord.

While such schemes exist in a formal sense in some areas, for the purposes of this handbook it proved difficult to identify any examples of successfully operating tenant schemes. On the basis of the evidence available, this would seem often to be attributable to the reliance on landlords to confirm to scheme operators that their experience of a tenant's behaviour warrants accreditation. Few such recommendations are made because, it is inferred, it is not

in a landlord's interests to lose a good tenant by providing them with a passport to go elsewhere in the market. Although it might be possible to gain critical mass for a tenant accreditation scheme by extending it to include local authority-controlled social housing, this strategy is unlikely to work in practice because there is generally only very low re-letting activity in this sector.

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### Consider-Rate tenant accreditation scheme

*Benefits for tenants*
*The Consider-Rate feedback scheme enables tenants to build up a positive tenant profile. The system identifies for potential landlords people who are responsible and low-risk tenants. At the same time tenants can earn money from the scheme. By demonstrating their good tenancy history with positive feedback, they can negate the effects of a poor credit history and benefit from a pre-paid 'cashback' card to help them earn while they spend.*

*How does the card scheme work?*
*Tenants top up their card with cash or use it in the same way as a debit/credit card. Every time they buy through Consider Rate's retail partners, they earn between 3% and 5% cashback. Typical cashback earned over the course of a year for the average cardholder is around £250 – and it also works in the same way as a regular bank account; useful for paying in wages or setting up direct debits. For an annual fee, tenants also get unlimited access to perform free look-ups on rental properties registered with the scheme.*

*Bond Guarantee Scheme*
*For tenants that build up an unblemished rental record over a qualifying period of three years, they will have the additional benefit of being eligible for Consider Rate's Bond Guarantee Scheme. This means that they will only need to put forward £200 of their bond – rewarding tenants for as long as the record stays blemish-free. In signing up for Consider-Rate, tenants can start to build their rental CV to get a head-start on other tenants looking for the best properties for rent.*

*Benefits for landlords*
*There is a risk involved in renting a property to a new tenant; there's no guarantee that references are genuine or any warning given if they've recently left accommodation on bad terms. Consider-Rate provides a two-way tenant-landlord feedback scheme that will give landlords a firmer basis on which to make sound judgments and protect their investment. This scheme enables landlords to build a bank of reliable tenants that can be trusted to look after the accommodation they rent.*

*Signing up*
*Landlords and their tenants need to register. Tenants are charged, but receive a pre-paid card to compensate or the landlord can decide to pay for them as a benefit. At the end of each rental period, the landlord is sent an email inviting them to rate their tenant, and vice versa. If either party disagrees with a review, they can add a comment in response. As the scheme grows it will eventually alert landlords to both truly bad tenants*

> *and those who don't quite meet the standards expected. Landlords are also able to compare their own standards against other landlords with similar properties. The system is questionnaire-based and uses algorithms to calculate a score for each review, based on the answers given. This score is added to the tenant's record at the end of the rental agreement.*

Consulting tenants

Consulting tenants directly on any topic is not easy, partly because high turnover in the sector leads to difficulties in establishing representative bodies, and a low response to mechanisms, such as postal questionnaires. In the past, it has been very unusual for tenants to be consulted in advance about a proposed accreditation scheme, unless the area to be covered by the scheme is restricted, and consultation has been necessary for other reasons. More usually, the views of tenants have been sought indirectly, through consultation with housing advisers or local housing lobbying groups. However, there is no reason why a local authority should not attempt to contact tenants directly, for example, by asking a housing benefit section to send out a questionnaire in association with a routine mailing to tenants. Focus group discussions or open meetings might be useful. Some specific groups such as students or health service staff may be reached directly or indirectly through their university / students' union or employer. Tenants' views could be particularly important in deciding what are the most important elements of standards, and on arrangements for dealing with problems or complaints.

Some tenants may fear that their involvement in accreditation scheme development of this kind will antagonise their landlord, so they should be given the opportunity to comment anonymously.

Identifying potential partner organisations

Whichever local organisation conceives and drives forward the idea of an accreditation scheme, it is essential that they scan for potential partners from the outset. Many schemes are developed jointly between partners. These are likely to be drawn from the following:

- local authority or authorities (and specific departments within them)
- landlord associations
- higher education institutions
- students' unions
- housing charities
- NHS trusts (interested in accreditation of housing for their staff)
- the police service
- the fire service
- voluntary sector bodies offering either general advice and support (eg Citizens' Advice Bureaux) or helping specific client groups, such as young people leaving care.

> **Unipol: The Leeds Code - a scheme operated by a charitable trust**
>
> *One of the best known and most successful local accreditation schemes*

*for students is run by Unipol, an independent charitable trust established by the higher education establishments in Leeds. As well as running an accreditation scheme for privately rented accommodation, Unipol provides accommodation for students itself, and training and advice for local authorities, universities and landlords elsewhere in the country.*

*There is a high level of penetration of the local student accommodation market (about 65% of all lettings to students are covered). Unipol has pioneered the use of new technology in publicising accredited accommodation to students – those seeking accommodation can look at details of available accommodation at their Accommodation Hub or they can consult a website. Standards are enforced through a sample-based inspection, backed up by a complaints process. The Unipol scheme runs as part of the Leeds Rental Standard that seeks to cover all privately rented accommodation in the city.*

For non-local authority agents, securing and maintaining the interest and commitment of the council can be challenging. It is, however, vital to maximise efforts to gain the support of a key figure who has a good platform within partner organisations and can effectively champion the development of an accreditation scheme.

Working with neighbouring local authorities

Working with neighbouring local authorities can yield two useful outcomes:

- an existing scheme in a neighbouring area can act as a model, particularly where there are strong market similarities
- it may lead to formal arrangements for passporting accreditation between schemes (see Chapter 10 for more detail)
- there may be scope and the political will to develop a joint scheme.

Developing a cross-authority scheme has the significant attractions of:

- economies of scale, important in difficult financial conditions for local authorities

- greater appeal to landlords who own or manage properties in more than one local authority area covered by the scheme

- enhanced potential for brand building.

The effort to coordinate and harmonise the interests and regulatory frameworks of the partner authorities is, however, challenging and appropriate project management and governance arrangements need to be put in place to control and resolve issues that arise between partners. The assignment and demarcation of specific responsibilities between partners (eg in relation to publicity and marketing) need to be formally documented. Additionally, there needs to be clarity about the legal personality of any organisation set up by the partners to run the scheme. This is important for a number of reasons relating to compliance with legal and financial requirements and exposure to (unnecessary) liabilities.

But it is also a precondition of drawing up a sound protocol for information sharing between partners and the entity that operates the scheme (see Chapter 17 for more detail).

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**DASH Landlord Accreditation: a scheme operating on the basis of a cross-authority consortium**

*DASH Services was set up in 2005 to assist the 40 East Midlands local authorities in implementing the requirements of the Housing Act 2004.*

*One of the streams of work within DASH Services was to explore the value, feasibility, resourcing and shape of landlord accreditation. The key design criterion was a scheme that would operate regionally but was flexible enough to adapt to local specificity. EMLAS (East Midlands Landlord Accreditation scheme) was established in 2009, rebranded four years later as DASH Landlord Accreditation.*

*It is a region-wide scheme that encourages and rewards good property standards and management practice in the private rented sector. The scheme is open to all residential landlords and managing agents in the region, where it operates across Derbyshire, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire and Rutland. Around 40 local authorities are partners in the scheme and offer additional incentives to accredited landlords.*

*Scheme members have access to briefing sessions on new legislation, resource material and guidance, professional development courses and inclusion on the EMLAS property database and website.*

*Accreditation in the scheme applies to landlords rather than individual properties. The verification regime includes inspection of at least 50% of an applicant's properties. Each local authority signs a memo of understanding with DASH Services and pays a subscription fee to enable DASH to work in that area.*

*In Nottingham DASH and Unipol combine to provide cross-city accreditation under the banner of The Nottingham Standard for Landlord Accreditation under one certification mark that creates an overarching minimum standard for privately rented accommodation across the city.*

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**The Barnsley Accreditation Scheme: a scheme operated by a local authority**

*The current Barnsley Accreditation Scheme was developed during late 2010 and was launched in early 2011 to update and improve the previous accreditation scheme, and also to allow agents to become accredited in addition to Landlords.*

*The 'Private Sector Housing Condition Survey' was undertaken in 2010 on a sample basis. The report findings supported the business case for continued work around improving the quality of the private rented sector in Barnsley. The findings were that, of the private rented stock, over a quarter (26.1%) had at least one HHSRS Category 1 hazard and*

*approaching half (45.7 %) were non-decent, as defined by the Decent Homes Standard criteria.*

*To engage meaningfully with the market, it was essential that the scheme acknowledge the prevailing low level of standards and design and implement processes which would support landlords in, first, getting their properties up to a minimum (legal) standard and, from there, to full accreditation under the scheme. The scheme also sets the standards for the quality of tenancy management, which members declare that they will abide by. The scheme is free to join and membership lasts for three years.*

*Specifically, the scheme offers all members advice, support, regular information updates, invites to events, free advertising of properties and contact details, in addition landlords can also access savings on HMO licences, grant funding and inspections. If works are identified during inspections a 'Property Upgrade Plan' is produced. Generally, works identified are covered by the grant scheme, which has been designed to address the highest occurring HHSRS Category 1 hazards in private rented properties. During the last two-and-a-half years over 48% of members combined portfolio of properties have been inspected through the scheme. Grants have been approved for 30% of inspected properties, with 21% of grants processed through to completion of works.*

*Barnsley MBC are committed to working with the private rented sector to improve property conditions, tenancy management, increase the supply of housing that is affordable and to meet housing need.*

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***The London Landlord Accreditation Scheme (LLAS)***

*awards accreditation to reputable landlords who undergo training and comply with a code of conduct. Accredited landlords are able to display the LLAS logo as a badge of good practice and access a range of products and incentives including local authority grants, leasing schemes and discounts on fees for licences and other charges.*

*It was set up in 2004 as a partnership of landlord organisations, educational organisations and 33 London boroughs. Since out-of-London boroughs have joined the partnership, it is now also known as UK Landlord Accreditation Partnership (UKLAP).*

*Accreditation with LLAS is free.*

*To become accredited with LLAS or UKLAP, landlords must:*
*- complete a one-day development course*
*- agree to comply with a code of conduct*
*- be a fit and proper person*
*- accreditation lasts for five years.*

*The LLAS was briefly incorporated into **The London Rental Standard**, designed to be a city-wide consortium approach based around a single badge of accreditation that was launched by the Mayor of London in 2014.*

*The scheme, very much a top-down initiative from the Mayor's Office failed to take root and tenant awareness, a key component of success, remained very low.*

*Despite this distraction LLAS has survived and thrived, fulfilling a vital role in providing training and support to landlords in London.*

# *CHAPTER 5: TAKING THE IDEA FORWARD*

**Development**

Setting up a working group

A landlord forum can provide a way of floating the idea of accreditation with landlords. Failing this, *ad hoc* meetings should be set up with invited landlords to explain what is involved and to seek their views. A sub-group of the forum or a steering committee, involving a smaller number of representative landlords, is the best way of taking the idea forward, as smaller groups tend to make more rapid progress.

Landlords themselves will decide how closely they then wish to be involved in scheme development. It is best to approach discussions with landlords with an open mind and to take their ideas on board as fully as possible, rather than developing a fully-fledged model in advance. The more fully landlords take part in subsequent work to develop a scheme, or are closely consulted at every stage, the stronger the likelihood of success.

At some point in the consultation, all target landlords should be written to individually, offering them an opportunity to comment and register interest in principle. Making contact may be difficult, but, with the help of the local authority, it should be possible to draw up a list of landlords from data sources such as planning, environmental health, housing benefit and housing renewal records. A meeting or a series of meetings should follow, at which the proposals can be presented, and a general discussion held.

It is also important to involve tenants, as consumers, when providing for representation on the working group. If functioning tenants' associations exist, these can be a useful point of access to secure a tenant voice that has legitimacy. Organisations such as Generation Rent may also be able to offer guidance and support in this area.

Setting a timetable

Although extensive consultation is desirable, it is important to set a target timetable to bring the initiative forward and into operation. The chart below shows a possible timetable for a scheme enjoying a strong degree of support. It starts at the point where a decision has been taken to investigate the feasibility of a scheme internally, as work, prior to this stage, is informal. The timetable allows two months to discuss and agree internal objectives, three months to develop the scheme and possible incentives, internally, three months for broad-based consultation, a further two months to revise the proposals and secure agreement from consultees, a month for formal approval, and three months to appoint staff for implementation. To reach this point will take towards eighteen months.

| Summary action plan and minimum timescale for developing and launching an accreditation scheme | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Action | Month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| Agree objectives, designate lead officer to assess feasibility | * | * | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Secure corporate and political support | | | * | * | * | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consider incentives and negotiate requirements to provide them | | | * | * | * | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consult with landlords, tenants and other stakeholders | | | | | | * | * | * | | | | | | | | | | | | | | | | | | | | | | |
| Revise proposals and secure stakeholder agreement | | | | | | | | | * | * | | | | | | | | | | | | | | | | | | | | |
| Secure formal internal approval to proceed | | | | | | | | | | | * | | | | | | | | | | | | | | | | | | | |
| Appoint, induct and train scheme manager | | | | | | | | | | | | * | * | * | | | | | | | | | | | | | | | | |
| Pre-register interested landlords | | | | | | | | | | | | | | | * | * | * | | | | | | | | | | | | | |
| Publicise scheme widely and hold public launch | | | | | | | | | | | | | | | | | | * | | | | | | | | | | | | |
| Review scheme in light of early experience | | | | | | | | | | | | | | | | | | | | | * | | | | | | | | | |
| Hold public recognition event to sustain momentum | | | | | | | | | | | | | | | | | | | | | * | | | | | | | | | |
| Undertake formal review and begin to negotiate any changes | | | | | | | | | | | | | | | | | | | | | | | | | | | | * | * | * |

Once the main parties have agreed the broad features of a scheme, there should be no delay in securing approval of funding and recruitment of staff. Nothing is worse than generating enthusiasm and commitment that is then dissipated by unexplained delays. A firm commitment to funding for a reasonable minimum period (at least three years) should precede any moves to recruit staff or set other elements of the scheme, especially the accreditation of properties, in place.

Branding

It is important to put a branding strategy in place ahead of the implementation phase. The scheme will need a strong name and memorable logo, readily recognisable by landlords and tenants. In order to manage branding effectively, steps should be taken to protect the scheme's name, logo and variants on these, together with any strap-lines or slogans if appropriate. It is also important to establish clear controls on the use and manipulation of these devices. In particular scheme managers will want to limit their external use to members and to accredited properties.

For a local authority-run scheme careful thought will need to be given to how the scheme branding relates to the authority's. Depending on the local market and local history, operating under the aegis of the council may be viewed as positive by consumers, in which case it may be worthwhile linking the branding in. Conversely, if too close an association with the authority is likely to be negative, the scheme's brand might be better served by a clearly separate set of devices.

Branding can be reinforced by making available a range of promotional give-aways (badges and posters for display in accredited properties, beermats, desk accessories, pens, keyrings etc) bearing the scheme name and logo.

It is worth remembering that the self-perception of scheme members as belonging to a club is reinforced by brand-building: the stronger the scheme identity, the more value members attach to being part of it and the more likely they are to renew their membership. Conversely, those not in the club are likely to feel a stronger sense of exclusion.

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*Leeds Rental Standard: branding devices*

*Scheme branding devices available to member landlords include:*

- *personalised certificate*
- *credit card-sized portable membership card*
- *automatic authority given to use the scheme logo on personal stationery*
- *peel-off scheme logo stickers for sticking on personal stationery, rent contracts etc.*

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Appointing staff

As soon as resources have been made available, staff should quickly be identified or if necessary recruited to take the scheme forward to implementation and beyond. Chapter 17 looks at staffing and infrastructure in more detail.

**Moving to implementation**

<u>Publicity and communication</u>

In advance of the scheme's launch, a constant pulse of publicity is essential to maintain the communication of the key messages, to sustain high visibility for the scheme and to pull in prospective members. In pursuing these ends, scheme promotors should avail themselves of the full range of media available to them, but being mindful of their target audience and the ways in which they typically receive marketing information.

<u>The launch</u>

Unless there are good reasons, the launch of a scheme should be marked by a specific event. In scheduling the event, scheme operators should consider its timing in order to:

- avoid any clashes with other newsworthy local stories
- link it deliberately to other topical issues already in the news
- maximise news exposure to stakeholders (for instance, launching a student scheme outside of term-time will miss a major opportunity to raise awareness among the consumer base).

Launch planners should have a clear idea of the objectives of the event and particularly of the audience constituencies: landlords, tenants, council workers and politicians and the media are likely to have different interests and different motivations for turning up. The contributions need therefore to be appropriately balanced to reflect stakeholder interests, whilst also evincing a strong mood of partnership and joint commitment. The participation of senior local authority officers and members is of particular importance to underscore their sponsorship of the scheme. If consultation and scheme development have been thorough and inclusive, there should be no difficulty in finding representatives to speak in support of the scheme, both at the launch itself and in any subsequent media opportunities.

<u>Promotional material and accreditation packs</u>

After the launch, recruitment of landlords begins in earnest, and it is essential to have prepared the ground for this thoroughly.

The options of being able to apply online or via hard copy forms should both be available to prospective members. Access to technology varies according to particular markets, but in many there is still a significant minority who are not able to – or who would rather not – apply online.

Both routes should provide ready access to a real or virtual 'application pack'. This should include:

- an introductory 'booklet', giving a clear description of the scheme, its purpose and objectives, its voluntary basis, membership benefits and the commitments and responsibilities of members, together with clear guidance on how to join and an application form (see Appendix A)

- terms and conditions of membership (including any fee payment terms / methods)

- the code of standards / practice / conduct (see Chapter 8 and Appendices B and C )

- a property schedule pro forma (for property-based schemes which accredit landlords) (see Appendix A)

- a self-assessment form (for schemes which require this)

- data protection privacy notices (see Chapter 17)

- scheme administration contact details

- frequently asked questions and their answers.

To support recruitment it helps if initial expressions of interest by people who have given their name and contact details are monitored and followed up if they don't complete the application process after their early interest is shown. A tracking facility can be built into software for these purposes or unfulfilled contacts can be monitored manually.

While websites can be a powerful marketing tool, they are ultimately reliant on the consumer actively accessing them. To supplement their value, it is important to distribute to target audiences hard copies of promotional material, in particular the introductory booklet, which should include strong signposting to the scheme website. This circular should be mailed out to landlords but should also be distributed more widely so that tenants, potential tenants and the public at large are aware of the scheme. Some landlords first hear about accreditation from their tenants.

Partner organisations, such as university accommodation services, Citizens' Advice Bureaux and Housing Advice offices should be provided with supplies of the leaflet or may wish to incorporate the material into leaflets of their own. Additionally, they may want to replicate the material on their own websites or include relevant hyperlinks from their own site to the scheme site. Part of the process of developing a scheme will be to make contact with these organisations and spend some time explaining the scheme to them and securing their active support.

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*West Dorset Accreditation Scheme: promotional leaflet*

*West Dorset DC produces a promotional leaflet, which:*
- *has an attractive glossy appearance with illustrations*
- *displays the name and logo of the scheme*
- *uses a concise, bullet point format*
- *states the aims of the scheme*
- *states that it is VOLUNTARY and FREE*
- *lists benefits to landlords*
- *provides the name and telephone number of the accreditation officer.*

*CHAPTER 6: KEEPING THE SCHEME GOING:*

**Developing contacts with landlords**

The initial publicity given to the scheme and the launch event should generate some enquiries and contacts. Staff running a scheme should also contact local media, voluntary and community groups, especially those with regular newsletters or mailings, as well as registered social landlords, and all the local advice and support organisations working with groups who make significant use of privately rented accommodation. Copies of promotional leaflets will help them to publicise the scheme. Further media publicity will encourage landlords to contact the local authority for information. It can be useful to have an introductory video for landlords explaining the application process and benefits of membership available on the website.

The scheme website needs to reflect a stream of publicity with a sense of constant refreshment. Stakeholder endorsements, member testimonials, news stories and blogs can be useful means of sustaining publicity.

It is essential to translate the burst of initial interest from landlords into full involvement in the scheme. The keys to this, apart from a well-managed launch, are clear and easy to access application procedures and the right incentives.

**Making the scheme known to tenants**

The purpose of contacting potential tenants is to make them aware of the scheme, to encourage them to use accredited properties and landlords, make them aware of the standards expected and provide them with opportunities to make contact. This enables them to ask the right questions before accepting a tenancy, to approach their landlord when repairs or other changes are needed, and to help the scheme operator ensure compliance. Beyond this, there is a fundamental need to promote the scheme amongst tenants: without the consumer recognising the benefits of signing up with an accredited landlord or property, landlords will not buy into the advantages of joining and the scheme will fail. As one landlord put it in responding to a survey:  "What is the point of accreditation if one's clients, the tenants, don't value the 'trademark'?"[9]

Although there may have been some consultation with tenants or groups representing them during the development of a scheme, there is, therefore,  a continuing need to make the scheme known to tenants and potential tenants. Scheme operators report that this can be a significant challenge. The following methods can be effective:

- sending information on the scheme to accredited properties

- requiring landlords, as part of their membership commitments, to pass on materials to their tenants

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[9] *Landlord* accreditation, prepared for the Greater London Authority by Helen Cope Consulting Ltd with Altair Ltd, 2011, p34

- getting voluntary or community groups to provide a route to contact with other tenants, in properties not within the accreditation scheme

- getting partner organisations to provide links from their website to the scheme website

- general publicity, such as leaflets and posters in the offices of advice agencies, doctors' surgeries, libraries and other sources

- general publicity through the media.


For student schemes, there are likely to be other important awareness-raising opportunities in the educational year cycle, for instance at freshers' fairs and more generally through university accommodation offices.

Ongoing publicity: strategies and opportunities

Publicity may fall off after the initial launch so steps are needed to renew it regularly. In doing so, scheme operators need to frame their marketing strategy according to:

- target sub-audiences
- media formats
- event opportunities

Where a scheme is being run by more than one agency or across local authorities, it is important that all partners are signed up to the scheme marketing strategy, understand their individual roles within this and are sending out consistent and coordinated  messages.

As noted above for the launch event, although blanket publicity materials may work adequately for some purposes, for others bespoke copy and messages will need to be shaped for different constituencies.

These days a whole slew of media formats and outlets are available to marketeers, including hard copy publications / leaflets, press releases, local newspapers, landlord association newsletters, platforms at meetings / conferences, routine and one-off mailings (hard copy and electronic), text messaging, web sites, blogs, social networking sites, online videos, podcasts, virtual tours and DVDs. It is important for scheme operators to be attuned to which formats landlords, tenants and other interested parties prefer to access information in. This can vary significantly according to the prevailing habits and preferences of stakeholders in the local market. Nonetheless, it is advisable for all schemes to maximise exposure through a blended approach. The key message is to exploit publicity opportunities wherever and whenever they arise.

Of these formats, the scheme website is likely to be a critical vehicle for publicity and information communication. Increasingly, the scheme website has also become a focus for the conduct of business with landlords and tenants and may incorporate online application and accredited property search engines. Given its growing centrality to both the publicity and operational functions, it is essential that the website is designed, implemented, tested and made live in advance of the launch.

As with other publicity, a scheme website needs to convey a sense, on the one hand, of the scheme's independence and, on the other, its sponsorship and endorsement by partners and other relevant organisations. It is important that reciprocal links are embedded across partner websites to help strengthen the virtual profile of the scheme and to underline the sense of it being a shared and networked venture. If the scheme is part of the local authority, it is advisable to avoid locating the website too deeply within the architecture and branding of the council website: an organisational and stylistic sense of separation and distinctiveness should help the profile and presence of the scheme website. This is particularly important where there has been any 'bad blood' between the authority and the landlord community, but it is in any case a good idea to put some distance between the scheme, as a set of voluntary arrangements, and the council's statutory functions, including enforcement.

Milestones such as the anniversary of the launch of the scheme, or the registration of the fiftieth, hundredth or five hundredth landlord or property, should be marked with publicity in local media. Some schemes have held public recognition events both to gain publicity and reward landlords for their participation. As one of the incentives to membership is to secure recognition as a competent landlord, such events are of considerable importance in keeping existing members on board and recruiting new members.

Important components of keeping landlords' interest going are:

- one-off sets of information which are of high value to landlords as members, such as a landlord guide
- recurrent batches of information circulated amongst members and/or to the wider group of stakeholders, such as newsletters
- regular meetings for members

The provision of accurate information and professional advice to landlords is an important incentive to membership of an accreditation scheme. A good landlord guide, for distribution to accredited landlords, is one way of ensuring that all relevant information and general advice is brought together. While this can be done in electronic form, posted on the scheme website with access controlled by member passwords, many people still attach a particular value to being in possession of a physical manual. A guide in loose-leaf format allows updates to be issued and revised editions to be prepared easily.

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**Kensington and Chelsea: "Let's rent" scheme landlord guide contents**

1    Introduction
2    A-Z of Advice, Information and Services
3    Empty homes
4    Basic information for new or potential landlords
5    Finding tenants
6    Deposits
7    Housing benefit – information for landlords
8    New tenancies
9    Existing tenancies
10   Good management
11   Advice for landlords of houses in multiple occupation (HMOs)
12   Grants

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| | |
|---|---|
| 13 | Advice for landlords on housing fitness |
| 14 | Enforcement notices |
| 15 | Management regulations for housing in multiple occupation |
| 16 | Furniture and fire safety |
| 17 | Gas safety |
| 18 | Energy efficiency |
| 19 | Noise problems |
| 20 | planning |
| 21 | Building regulations |
| 22 | Information leaflets. |

Regular communication with landlords is essential to maintain enthusiasm and commitment to the scheme. A newsletter is one option. Contributions should be included from all organisations and individuals with a stake in the scheme. The newsletter should not just be a mouthpiece for the organisation managing the scheme, nor simply a 'good news' sheet, but an opportunity to air differences of view or discuss cases where difficulties have arisen.

Regular meetings for landlords with accredited properties, perhaps on a quarterly basis, give an opportunity to review the operation of the scheme and to provide information or training, or to consult with landlords over a range of issues. Sometimes scheme meetings are linked with a broader landlord forum, but separate meetings are a way of strengthening the incentives to landlords to join. The success of regular meetings is, however, heavily reliant on organisers being and staying imaginative about their content. Recent research found that forums run by the local authority are not always viewed as useful: "attendance is not tracked (and cannot therefore be used towards CPD) and some [members] noted that only "the usual suspects" turned up, mainly agents and those wanting to sell services to them. More could be done to make forums of value if linked to training and the CPD."[10] This sense of creeping disappointment squares with the experience of many scheme operators that attendance at meetings is inclined to wane. Sustained effort is therefore needed to counter this tendency and to get the balance right between imparting new information, themed discussion, consultation and training. Once the scheme has bedded in and the structural issues have been discussed and resolved, it is often the lure of good training sessions that keeps attendance at regular meetings high (see Chapter 11 for further guidance on this point).

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### UK Landlord Accreditation Partnership: award ceremony

*The UK Landlord Accreditation Partnership (UKLAP) runs a landlord conference and award ceremony for accredited landlords.*

*The UKLAP and the London Landlord Accreditation Scheme has been running for over nine years, with over 16,000 members and over 1,000 letting and managing agents.*

*The award ceremony seeks to recognise landlords offering an exception experience for tenants and includes:*

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[10] *Landlord* accreditation, prepared for the Greater London Authority by Helen Cope Consulting Ltd with Altair Ltd, 2011, p34

- *a reception and chance to meet with fellow professional landlords and agents*

- *opportunity to network with sponsors of the event*

- *three-course dinner*

- *VIP speeches by leading experts*

- *earn 10 CPD points by attending*

- *celebrate and share good practice*

Building confidence with landlords and tenants

Building confidence between the parties involved in the accreditation scheme will take time, especially if past relationships have not always been good. Some early evidence that things are really changing in the relationship between the authority and local landlords is worth its weight in gold.

Regular contact, frankness in reviewing difficulties and their causes, and efforts to deliver outcomes that matter to the other stakeholders will all contribute. The best results have been achieved where scheme operators, often with the support of local authority officers, have worked hard to find information, provided access to the right source of advice, or taken personal responsibility for sorting out a problem that was important to landlords.

Creating a steering group

A steering group or management committee with representation from the scheme operation, the local authority, landlords, tenants and other interested parties should be set up to monitor progress, identify concerns at an early stage, and discuss proposals for change or improvement. The group involved in setting up a scheme may simply continue on to form the scheme steering group, after implementation. Efforts should be made to avoid meetings where local authority officials are in a majority. It is important that all stakeholders feel an equal sense of ownership of the scheme, and believe that they are able to influence its direction. Some steering groups have a constitution to ensure that they are representative, and that there is the capacity for those who wish to step down, to do so and be replaced by others. Constitutions cover arrangements for membership, frequency and conduct of meetings, and the circumstances under which changes to the scheme can be made (see Chapter 17 and Appendix D for more detail).

**Reasons for scheme failure**

Accreditation schemes fail for a variety of reasons, often in combination. Chief among these are:

- inadequate support from the local authority or other key agencies
- inadequate linkage to local authority housing objectives
- under-resourcing

- under-investment in staffing, information technology and other infrastructure
- key staff leaving and not being (adequately) replaced
- inadequate dialogue with stakeholders (particularly landlords) at the set-up stage
- standards set too high / too low
- inadequate incentives to convince landlords it is worth joining
- weak verification / quality assurance processes – or adequate systems not adhered to (eg human resources not matching verification requirements)

In compiling their risk register, scheme operators are advised to take this list as a starting point, to rate the risks according to an agreed set of measures and to put in place steps for removing or managing associated risks.

# *CHAPTER 7: MONITORING AND REVIEW*

It is important to evaluate a scheme against its objectives in order to secure both the continuing credibility of the scheme and support from stakeholders. Being able to demonstrate that the scheme has added quantifiable value is likely to be the critical part of any submission for the renewal of funding by the scheme's financial backers. Claims of success must be supported by good quality information. Reports on progress should be provided to stakeholders, and publicised more widely, to maintain awareness of the scheme.

**Measuring success**

Success in the development and management of a scheme can be measured in a number of ways. The table below shows some potential indicators. The measurement of success must be linked to the objectives set for the scheme at the outset. General objectives should be translated into specific and measurable targets. Simple output measurements of numbers of landlords and properties included in a scheme are one measure of success. Changes over time show progress. Details of landlords dropping out of a scheme and their reasons for doing so provide valuable feedback. The proportion of the target market that accredited properties represent gives a better indication of the *impact* of the scheme than absolute numbers.

Caution needs to be exercised, however, in straightforwardly inferring success from high membership volume. A requirement for periodic reaccreditation is likely to result in some members dropping out. Some of this attrition may actually be an indication of success in quality assurance terms: weeding out sub-standard landlords / properties and providers who are not appropriately committed is important for maintaining scheme integrity. Schemes without a reaccreditation requirement may be able to show continual growth in membership numbers but this may be misleading as an indicator of good performance.

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**Performance indicators for accreditation schemes**

- number of accredited properties/bed spaces
- number of accredited landlords
- annual increase/decrease in accredited properties and landlords
- drop outs from scheme (properties and landlords) by year of drop out and reasons
- penetration of target market (percentage of target properties accredited)
- changes in condition of accredited properties
- investment by landlords in accredited properties arising from accreditation requirements
- types of work done by landlords of accredited properties
- complaints relating to accredited properties over time, covering periods before and after accreditation
- officer time spent in dealing with complaints
- views of landlords about accreditation
- views of tenants about accredited properties and landlords
- views of other stakeholders – universities, voluntary sector organisations concerned with housing people in the private rented sector

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*Outcomes*

Scheme outcomes are often more difficult to measure. They generally require comparisons with baseline data from before the scheme came into operation, so steps must be taken to ensure that this is collected. Improvements in the overall standard of privately rented property measured by fitness or disrepair require frequent inspections and this may be difficult or expensive to collect. A proxy for improvements in condition may be landlord expenditure to reach accreditation standards, or analysis of the types of work carried out.

Improvements in management practices can be measured by reductions in the level of complaints received when compared to the baseline. However, complaint number patterns can be complex and difficult to read. A high volume of complaints may be an indication that pre-entry verification processes are inadequate or it may reflect the strong effectiveness of awareness-raising activity and ease of access to the process. More detailed analysis of complaints by type may show a change in the type of complaint towards less serious problems.

If there is a degree of uncertainty about whether the level of complaints is right for the scheme, comparison with local authority complaints figures for social housing *not* covered by accreditation can be a useful exercise in benchmarking the scheme's effectiveness, particularly when undertaken at regular intervals. Lower incidence of complaints, reducing over time, for scheme properties / landlords is a powerful argument for funding renewal. It does, however, depend on the availability of comparable statistics from the local authority.

Other stakeholders may want to see different indicators and these need to be identified in advance to enable data to be collected. Landlords will want to see evidence of quicker and more equitable treatment by local authority departments, or of help in dealing with unreasonable tenants. Tenants may see the level of complaints in relation to properties within the scheme, as the most important indicator. The best way to ensure that different stakeholder perspectives are taken into account is to seek their views on progress at regular intervals, either informally, through a scheme steering group, or more formally through regular open forums of landlords or tenants, or through questionnaires or focus groups.

The right targets or benchmarks for a scheme will depend upon local circumstances. A satisfactory level of recruitment in an area of very high demand for rented property may be much lower than one where demand is lower.

Schemes which incorporate a strong element of property inspection as part of their verification regime should, if data is effectively gathered and maintained, be in a good position to measure success against quantifiable criteria, eg hazards removed in a given period.  On the other hand, skills-based schemes without any supporting inspection element have more limited options for measuring impact because they do not check that skills acquired actually translate into tangible management actions and cannot therefore track changes in the condition of accredited properties.

Tenant feedback can be a useful source of information / opinion on property standards, improvements, the landlord / tenant relationship and the landlord's management practices. However, it is often difficult to elicit. Annual mail-outs to tenants seeking their views are an option, although scheme operators report that these generally yield low returns. For schemes operating in markets characterised by a high through-put of tenants, it is particularly difficult to access intelligence on any improvements directly from tenants.

Although student schemes fall into this category, students' unions are often a good source of information on landlords and standards over time.

The case study featured in Chapter 3, which summarises how the Leeds Landlord Accreditation Scheme and Leeds City Council set objectives and measure performance, provides a useful concrete example of how to make sense of target-linked performance indicators.

**Conducting a review**

Accreditation schemes are often established with an initial fixed term of funding, commonly around three years, and subject to review at that point. Even where the service is being supported on an ongoing basis, it will need to be reviewed regularly to assess its performance.

A team, representing the major stakeholders, should be convened to review the scheme and as well as referring to scheme objectives, reviews should include best value criteria as other benchmarks for assessing success and directing the future of the scheme. The concerns of other stakeholders should have equal weight to those of the local authority.

Reviewing a scheme with a view to making upgrades to standards is addressed in Chapter 11.

# PART THREE: SCHEME CONTENT

**Standards of accreditation**

The standards adopted for landlords and properties to be included within the accreditation scheme are crucial to its success. It is essential to discuss standards in detail with landlords to ensure that they are acceptable, or to explore and resolve disagreements. As a starting point standards need to be:

- clear

- simple and readily understandable

- practical

- realistic and achievable within the market

- measurable with an appropriate degree of flexibility – *reasonableness* is a useful notion to incorporate, on the basis that it is generally clear when something or someone is not reasonable

- enforceable

Standards set too high act as a disincentive to landlords and schemes struggle to attract the critical mass needed to flourish and achieve credibility among landlords and tenants. Standards set too low offer little protection to tenants and are not attractive to landlords who seek to distinguish themselves by good performance.

Changing standards or graded standards

Nobody would expect standards to be set in stone. There is always scope for learning from experience, responding to legislation, or following the demands of the market. Sometimes, local authorities, in order to recruit as many landlords as possible, have set standards at the outset of a scheme that are lower than they ideally want. They have then tried to raise standards over time towards their preferred level. But difficulties can arise in pushing up standards, if landlords feel that they have been misled or that they are being forced to improve standards against their will.

A better approach is the introduction of a system of graded accreditation, distinguishing between a minimum or basic standard and higher levels of provision, for example through a 'star' rating system. This enables those landlords who do not wish to (or who cannot) achieve, more than the basic standard, to remain as members on the terms to which they first agreed. But it also gives recognition to those seeking to provide better standards and enables potential tenants to make better judgements.

> **Unipol Code:  starred system**
>
> In order to help students differentiate between certain Unipol Code properties, Unipol has developed a star rating system which sits on

top of the main Leeds or Nottingham Code. This means that Code properties (with the exception of rooms in an owner's house) will be awarded a rating of one, three or five stars, depending on amenity levels within the property. Unipol has devised a formula that will automatically attribute a particular star rating to an eligible Unipol Code property, based on information supplied by owners. The higher the number of stars the better the property is likely to be. Starred properties are advertised on the Unipol website with the number of stars awarded clearly shown. If one or more of the amenities indicated within the advert are not present within the property at the time the tenants take possession, then they should bring this to the attention of the owner immediately. The existing Unipol Code complaints procedure will also apply.

How the stars are calculated
The star rating system awards a given number of points for certain amenities. Because the main intention for introducing the rating system was to encourage owners to enhance amenity levels within their property as a whole, the categories that points are awarded for are diverse. However, emphasis has been placed upon energy efficiency, the provision of living space and meeting enhanced requirements of the Code in advance of the given deadlines. The three star ratings are calculated on the basis of the total number of points that a property is awarded, based on the information supplied in the advert. In order to get a one star rating the property will need to gain at least 12 points, for a three star rating the minimum total is 18 points, and the five star rating requires a minimum of 24 points. Amenities that points are awarded for:

- a burglar alarm
- dedicated secure cycle storage (would not include bedrooms, kitchen or living rooms)
- dedicated living space of at least 10m2, with additional points if it is 14m2 or more
- bath/shower ratios of 1:3, with additional points where it is better than this
- a washing machine fitted, and an extra point for a drier or washer/drier
- double beds in at least 75% of bedrooms
- provision of contents insurance for tenants
- double or secondary glazing fitted throughout (all habitable rooms)
- the presence of a combination or a condenser boiler (more points are awarded for the latter)
- thermostatic Radiator Valves (TRVs) to all but two radiators, in advance of the 2013 deadline
- energy Performance Certificate ratings of a D or above, for both calculations
- full compliance with the Code's enhanced fire safety requirements in advance of the deadline for compliance
- a broadband connection point in the property
- an aerial that receives freeview or freesat
- a maintained garden/yard area of at least 10m2
- a landlord who has acquired 'golden owner' status, which means they have been a member of the Code for four consecutive years without a

complaint being up-held against them.

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### Swindon Borough Council Landlord Accreditation Scheme – Gold Award

*The Landlord Accreditation Gold Award recognises landlords with superior standards of accommodation and promotes these properties within the rental market.*

#### Qualification
*The scheme is open to all Accredited Landlords within the Borough of Swindon, who can apply for each property they own.*
*To qualify for a Gold Award, properties must:*
- *be free from significant hazards under Housing Act 2004*
- *meet all prescribed standards under fire, heating and security regulations*

#### Rewards
*The rewards of the Gold Award are:*
- *an individual Gold Award certificate per property*
- *a comprehensive Landlord's Pack for each property*
- *listing on this website*
- *eligibility to apply for grant funding*
- *a new Energy Performance Certificate (EPC) will be provided where grant works are necessary Houses in Multiple Occupation (HMOs) will receive a reduced inspection rate*

#### Certification
*Successful applicants will receive a Gold Award Certificate and a personalised Landlord's Pack for each property.*

#### Meeting the standard
*The property must comply fully with the Housing Act 2004, any other relevant legislation and locally-adopted standards. These include Swindon Borough Council's adopted Standards for Houses in Multiple Occupation (HMOs) and the Management of Houses in Multiple Occupation Regulations 2006. A full inspection of the property by a Residential Services Officer will determine its compliance. In addition to these minimum standards the property must meet the following prescribed standards:*

#### Fire
#### Family Properties
*Mains-wired smoke detectors must be installed at the foot and head of each stairwell within the property. A Fire blanket must be installed within the kitchen.*

#### Houses in Multiple Occupation (HMOs)
*Properties occupied by three or more unrelated persons are defined as a 'House in Multiple Occupation' (HMO) and must meet additional fire precaution and amenity standards that will be prescribed following an*

*inspection by a Residential Services Officer.*

*Heating and Energy Efficiency*
*The property must have a full central heating system with an 'A' rated energy efficient boiler, wall mounted temperature and timer controls and individual controls in each letting unit.*

*The property must be equipped with well-fitted double glazing throughout, which is weather-tight and in good working order. A minimum of 270mm loft insulation must be installed within the roof space in accordance with Building Regulations, ensuring insulation extends fully into the eaves, all vents are left uncovered and all pipes and tanks are lagged. The property must have cavity wall insulation where cavities exist or solid wall insulation where they don't.*

*Security*
*The property must be free from Category 1 and high Category 2 Hazards for Entry by Intruders. The property will be subject to a security inspection by Wiltshire Police to confirm compliance with the following standards:*
- *five-lever locks to all external opening doors*
- *additional locking system to patio doors, or high security locks*
- *security lights to front and rear doors, ensuring they are positioned downwards to avoid nuisance. Halogen and flood lights are not suitable.*
- *locks to all external windows*
- *a spy hole to the front door*
- *a chain lock to the main entrance door*
- *security-rated glass to external doors*

*Grant Scheme*
*Should a property be in good repair and condition but fail to meet some of the prescribed standards above, landlords may still apply for the Gold Award alongside the grant scheme.*

*Grants of up to 50% towards the total cost of all necessary works to reduce the hazards of excess cold and entry by intruders to an acceptable level are available. Swindon Borough Council will fund a maximum of £1000 per hazard.*

*Grant Eligibility*
*The works eligible for grant funding are:*
- *five-lever locks to external doors*
- *chain locks*
- *spy holes*
- *locks to external opening windows*
- *upgrading of an existing heating system in-line with Energy Performance Certificate (EPC) recommendations*
- *security-rated glass to external doors*
- *double glazing*
- *upgraded locking system to patio doors*
- *loft insulation*
- *security lights to front and rear doors*

**Scope of standards**

Each accreditation scheme has its own set of standards, agreed between the various stakeholders involved. Standards must cover both tenancy management and property condition. Local authority staff from an environmental health background often place more emphasis on physical standards, but tenants regard the conduct of their tenancy and relations with the landlord as of greater importance. Compliance with physical standards is easier to monitor than compliance with management standards, but it is important to ensure that the balance is right if tenants' needs are to be met.

In most schemes, safety issues – fire and arrangements for means of escape, gas appliances and gross disrepair creating hazards such as unsafe floors or stairways – are the foundation of standards. More advanced standards cover disrepair injurious to health, comfort, or to the fabric of the building, tenancy conditions, and the management service provided by the landlord. The box below shows the content of a typical set of basic standards with an optional higher tier of accreditation.

*All property details are reported accurately without misrepresentation to prospective tenants.*

*All landlords and their representatives will treat everybody equally, irrespective of their gender, age, disability, religion, ethnic origin, sexual orientation or any other factor upon which unlawful discrimination may be made.*

*Access*
*If the landlord requires access to the tenant's accommodation for the purpose of routine inspection / repairs / maintenance, the landlord shall notify the tenants of the date, time and purpose of the visit not less than 24 hours in advance. The tenant's privacy should be respected at all times.*

*Repairs*
*Where the landlord is notified of a defect or disrepair within the property repairs should be completed within the following timescales:*

*Emergency repairs. Any disrepair that poses a risk to health and safety of the tenants or serious damage to the property or residents belongings. These repairs should be completed within 24 hours of the defect being reported. In circumstances where this is not practical, landlords should make the best temporary arrangement and complete the work as soon as possible.*

*Urgent Repairs: repairs to defects which materially affect the comfort or convenience of the residents should be resolved within 5 working days of report of defect.*

*Day to day repairs. Repairs should be made within reasonable timescales at worst within 28 working days of being reported. Maintenance and servicing tasks which can be carried out in a planned and cyclical manner should be carried out with due regard to the convenience of tenants.*

*End of a Tenancy*
*All tenants are issued with clear written guidelines regarding matters that require their attention before vacating, including cleaning, payment of bills and return of keys.*

*A landlord will ensure that the correct 'notice for possession' has been served on current tenants so that new tenancies do not commence until the existing one has finished.*

*State of Repair and Property Standards*
*Landlords will ensure that any properties and boundaries are maintained free of any avoidable or unnecessary hazards as defined by the Housing Health and Safety Rating System – and there are no known Category 1 hazards.*

*Where HMO mandatory licensing applies (under Part II of the Housing Act 2004), they have a current HMO licence, or have made application for an HMO licence, and that those properties meet or will comply with license conditions within timescales specified on each licence.*

*All non- licensable properties should meet with the relevant Local Authority's Advisory Standards or should comply with any timescale agreed with the council.*

*All furnishings and furniture are clean and in reasonable condition at the commencement of the tenancy and comply, as appropriate, with the Furniture*

*and Furnishings (Fire) (Safety) Regulations 1988.*

*Kitchens should meet with the Local Authority's advisory standards, especially in respect of the provision of cooking facilities, sinks, electrical sockets, worktops and cupboards.*

*An adequate number of suitably located, reasonably modern and hygienic W.C.s, baths and/or showers and washbasins are provided with constant hot and cold water supply as appropriate, which are suitable for the number of occupants, as required by any relevant national or local legislation.*

*A handrail should be fitted on all steps both internal and external where appropriate, including cellars steps.*

*Houses must be provided with a suitable space heating system that is capable of providing an adequate degree of thermal comfort throughout the premises.*

*No form of bottled gas or paraffin heaters will be provided by the owner or tenants as a heating source.*

*All properties are provided with adequate lighting, particularly the communal areas and especially on internal staircases. Properties must also be sufficiently well ventilated.*

*Gas Appliances and Supply*
*All means of use and supply of mains gas, and alterations and repairs to gas installations, shall comply with the current Gas Safety (Installation and Use) Regulations.*

*All gas appliances will be serviced annually by an engineer endorsed by Gas Safe Register. Verification of the gas safety check will be provided to all new tenants at the start of the tenancy, and copies of the gas safety check record for any subsequent safety checks undertaken during the period of the tenancy will be supplied to tenants within 28 days of that safety check being conducted.*

*All repairs to gas supply pipe work and appliances will be carried out by a Gas Safe registered engineer.*

*Fire Safety*
*Properties occupied by a single household must be fitted with an appropriate form of fire protection incorporating an audible alarm. As a minimum a mains-powered or lithium sealed-unit battery powered smoke detector will be required on each floor and on the route of escape in ALL properties, however more may be needed depending on the size, layout, management and occupancy of the property.*

*All HMO and higher risk properties should comply with the LACoRS Guidance on Fire Safety.*

*All properties should be routinely risk assessed by the landlord as the level of fire protection will depend on variable factors which a landlord will need to regularly monitor.*

*Fire detections, alarms and emergency lighting systems shall be properly checked and maintained by a competent approved engineer.*

*Exit routes within all properties e.g. hallways, landings and staircases will be maintained as safe, unobstructed and free of fixtures to enable evacuation of the*

*property in the event of a fire.*

*Depending on the level of risk it is normally expected that the final exit doors be openable from the inside without requiring the use of a key.*

*All internal doors must be of sound construction and 'close fitting' to the frame, in some cases both the door and frame will need to be of approved fire resistant standard with smoke &/or intumescent strips and self-closing as appropriate to the scheme of fire safety works required at a specific property If window locks are present they must not prejudice the means of escape in the event of a fire.*

*Electrical Installations*
*Landlords must ensure that the whole electrical installation and any electrical appliances provided are in a safe condition and in good working order throughout the tenancy. The easiest way for a landlord to ensure they comply with this element of the code of conduct is to provide a report from a competent electrician, who is a member of a nationally recognised body. The report will specify how often the installation should be reinspected, and this should be followed.*

*Security*
*External doors and frames should be secure and fitted with secure locking systems which do not impede the level of fire safety available at the property.*

*Windows accessible from ground level should be of sound construction and resistant against unauthorised entry.*

*Complaints*
*Landlords will acknowledge promptly all written communications received from the tenant and will respond appropriately to telephone or other verbal messages.*

## *Additional Standards*

*The Tenancy Agreement and Letting*
*Where a landlord / agent charges administration/signing fees, they make it clear to the potential tenants in writing what the charges are, and what they are for.*

*If a fee to hold a property for the tenants is charged, that it is agreed in writing how much these are, how long the property will be held for, and the terms under which the monies will be refunded.*

*All prospective tenants are granted an opportunity to view the property, having due regard to the rights of existing tenants.*

*Utilities*
*The owner clarifies whether s/he retains responsibility for payment of water charges, utility charges and Council Tax, or whether these charges fall to the tenants to pay and that this division of responsibility is accurately reflected in the terms of the letting agreement.*

*Start of the Tenancy*
*At the commencement of the tenancy, or other date mutually agreed with the tenants all obligations on the part of the owner in regard to the repairs and property maintenance and improvements to the property have been fully discharged.*

*Where a property is undergoing refurbishment and the building programme is running late, and where this may result in the property not being ready for occupancy, in the event that this is not covered by an agreement the landlord/agent shall inform the future tenants, in writing, at the earliest possibility of this likelihood and its consequences for them.*

*Owners may use the scheme logo (either as a landlord/agent supplier or for the property/ies to which they relate) in promotional materials, and electronic versions of these logos can be supplied.*

*State of Repair and Property Standards*
*Rooms must have an adequate floor to ceiling height as required by any relevant local legislation.*

*Where a shower/s is/are provided, they will be fitted with a waterproof surround and a screen (which could be a curtain). Where a shower is provided a suitable electrically operated extractor fan shall be fitted in accordance with Building Regulations.*

*An emergency light should be installed next to any consumer unit located in a cellar.*

*Instructions for the safe use of all electrical appliances (including cookers, space and water heaters, fridges and freezers) will be given on request. Useful information from the Electrical Safety Council can be found at www.electricalsafetyfirst.org.uk/guides-and-advice/*

*Fire*
*All HMOs with cellars/basements should have some form of interlinked fire detection system fitted. In unoccupied cellars it is preferable for a smoke detector to be installed rather than a heat detector, as these react more quickly to the presence of a fire. A closely fitting FD30S (fire and smoke) door with an effective overhead hydraulic self-closer, and with intumescent strips and cold smoke seals, should be fitted at the top of the cellar stairs if the cellar opens on to the means of escape;*

*Each kitchen will be fitted with a fire blanket, situated a sufficient distance away from the cooker so as to be safely removed from its housing in the event of a fire on the cooker.*

*Security*
*External doors are of solid core timber, metal framed UPVC construction or specialist security doors. All glazing in doors must be either wired or laminated glass.*

*The door frames should be strong and well secured to the jambs. If a door is replaced it is recommended that the full door set will be replaced too, ensuring that this meets with BS:PAS24: 2012 'doors of enhanced security' – as a minimum.*

*Where burglar alarms are fitted, the alarm should be prevented from ringing for more than 20 minutes. Equipment which has proved to be unreliable or ineffective should be replaced. It is recommended that burglar alarms are fitted by NSI or SSAIB approved contractors.*

*Hedges around external doors and windows are best kept trimmed low (usually not higher than 1m), wherever practical, to avoid providing screening for burglars. Plants and shrubs shall not be allowed to obstruct the pavements or other public areas surrounding the property.*

*Communal Areas*
*Tenants are made aware of who is responsible for the cleaning of communal areas, including common staircases and landings outside of the dwelling, and that these are kept free from rubbish and any obstruction.*

*Energy Efficiency*
*When renewing electrical appliances, particularly white goods, only high energy efficient appliances (grade A and B) should be chosen as replacements. NB: Any new appliances from a reputable supplier will usually be grade A or B.  Unwanted electrical appliances should be disposed of in an appropriate way using a licensed waste contractor.*

*Any wet central heating system installed will include thermostatic radiator valves (TRVs) on all radiators (except one).*

*Tenants are given advice, upon request, on how best to heat their accommodation and use hot water in an energy efficient way using the facilities provided.*

*All properties are provided with a minimum level of energy efficiency measures to include hot water tank and pipe lagging and adequate insulation to roof void areas, where appropriate.*

*Energy efficiency improvements are incorporated, where practical, into refurbishment schemes and such schemes should comply with current Building Regulations, where applicable. Landlords are advised to concentrate on improving roof insulation (ideally 250mm depth if using conventional materials) and wall insulation with cavity wall insulation or internal insulation (dry lining). Replacing older boilers with condensing type boilers can also be effective.*

*Anti-Social Behaviour*
*Landlords will encourage tenant-like and neighbourly behaviour from tenants.*

*In the event of any anti-social behaviour (defined as "behaviour likely to cause alarm, harassment, inconvenience or distress to members of the public not of the same household as the perpetrator") by tenants and/or visitors, landlords will use reasonable endeavours to intervene, with a view to ending that behaviour and ensure that the occupants are treating the property and its environs in a tenant-like manner. It is accepted that not all intervention will be successful and, in this case, assistance will be requested from a number of statutory and non- statutory agencies who may be able to intervene.*

*Exterior of Property*
*Within reason and within the landlord's responsibilities the visual appearance of dwellings, outbuildings, gardens, yards and boundaries shall be maintained in a reasonable state so as not to detract from the visual amenity of the area.*

Standards should be set out in detail in the documentation supplied to applicants, but in clear language that landlords and tenants can understand. Different standards may be needed for different types of property, distinguishing between single household

accommodation, shared housing occupied by a group of people, and larger dwellings which have been converted for multiple occupation.

<u>Benchmarks</u>

Some benchmarks will be set by legislation or by other bodies that have statutory responsibilities, such as the fire service. But often the local authority will need, in consultation with other stakeholders, to establish what is a reasonable level to expect. Comparison with the standards set by neighbouring authorities could help in providing benchmarks. Landlords who also manage property in areas covered by neighbouring accreditation schemes will find parity between standards to be helpful.

# CHAPTER 9: FRAMEWORK FOR SCHEME DESIGN: ANUK'S FOUR CORE VALUES

**Background: formulating the values**

As set out in Chapter 2, there are a number of important questions that need answering early on about the fundamental purpose and shape of the scheme. The answers to these questions and the design that follows should also take full account of the four core values established by the Accreditation Network UK, irrespective of the model adopted.

As the sector emerged, ANUK recognised that, of the many and varied schemes operating across the country, there were some which were poorly conceived and administered. In 2007, in order to help professionalise the sector and to protect its future reputation, ANUK determined, on the basis of broad consultation, a set of four core values which accreditation schemes should commit to. In reviewing the potential core values, ANUK surveyed the wide spectrum of worthwhile and successful scheme types, ranging from the successful skills-based scheme run across London by LLAS to highly regulatory schemes with complex systems of assessment and verification, such as the National Codes for Larger Student Developments. In embracing this diversity, ANUK concluded that any definition had to be sufficiently flexible to accommodate different species of scheme, but also sufficiently robust to exclude schemes that were little more than individual campaigns or mail shots.

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ANUK's four core values of accreditation (approved in November 2007) are:

*The Declaration*
Accreditation is about accountability: to be accountable there must be a voluntary declaration by the supplier or manager of the housing to a set of processes or standards (normally both). The declaration should be regular and normally should take place every three years.

*Verification*
A scheme must verify that those who sign up to meet standards are doing so. Time has shown that to maintain both consumer and landlord confidence there must be a regular and transparent process that checks on the standards being met, issues some form of report and where any shortcomings are identified, a landlord must agree to an improvement package. Whatever the verification process is, it must be public, realistic and achievable. A complaints system alone is not sufficient to ensure verification.

*Continuing improvement*
Verification should not be simply about standards being met. The notion of continuing improvement sets the mental tome for accreditation: it is about doing better from a base standard and accepting that there is always room for improvement in management outputs. Similarly, the scheme standards should not stand still, and should be periodically reviewed and updated.

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> *Complaints*
> There must be a proper complaints process that should be simple,
> inclusive, transparent, rapid and known.

These values have gained widespread currency and acceptance in the sector. Importantly, this includes the two main variant models: skills-based schemes and schemes based on property inspection.

**Property inspection and skills-based training**

Some schemes meet the verification requirement through a property inspection regime which tests the compliance of the landlord /properties with the scheme standards. Others achieve verification through a scheme membership condition that landlords demonstrate they possess the necessary professional skills and knowledge by undertaking and successfully completing a scheme training package.

Property inspection-based schemes start from the position that a landlord's or agent's properties (or a proportion of them) *must* be inspected to ensure they comply with scheme standards. Property inspection is not intended to replicate regulatory functions but to enable verifiers to take a view on the management competency of housing providers.

Skills-based schemes start from the position that the primary focus of accreditation should not be property standards themselves but the landlord's management practices and the skills and knowledge that underpin these. For this reason they do not have a property inspection regime, but rely instead on applicants / members undertaking and passing foundation training and a subsequent quantified diet of continuing professional development to ensure they are equipped to meet scheme standards. They infer that the properties of accredited landlords and their management practices reflect the skills acquired through these development processes.

Within the ANUK framework, the level of quality assurance and verification will be largely driven by the prevailing consumer expectation in the specific market in which the scheme is to be established, so that in London or Edinburgh high demand and low supply over many years have lowered consumer expectations and place strong limits on what a scheme can achieve; whereas in many university towns there is high consumer expectation, driven by high awareness among students and their parents.

Each model has its strengths and weaknesses when reckoned against the ANUK core values, as set out in the following table.

Comparison of main scheme models

| Property inspection based schemes: strengths | Skills based schemes: strengths |
|---|---|
| • They provide a high level of assurance about compliance and quality and are therefore good at recognising property standards<br><br>• They provide a high level of scheme integrity, critical to consumers, members, prospective members and sponsors<br><br>• They are often good at helping to build landlord engagement<br><br>• Their level of success / effectiveness can be readily measured | • Reliance on training and avoidance of inspection lower the running costs<br><br>• It is a more universally applicable model in that it does not have to overcome either local issues in cross-authority schemes or the challenges posed by agents<br><br>• They are arguably better placed to help raise standards<br><br>• They are arguably better placed to emphasise the constructive and developmental role of accreditation over possibly negative associations with enforcement<br><br>• They may be an easier model within which to build membership volume and to attract in the 'willing but unknowledgeable' element of the supplier market<br><br>• They may, arguably, have a stronger relationship with licensing because of their shared focus on addressing poor management practices. |
| Property inspection based schemes: weaknesses | Skills based schemes: weaknesses |
| • The costs of inspection and associated administration are high<br><br>• Property inspection alone can be argued only to map what is already compliant, without helping to raise standards<br><br>• Property inspection alone does not fully address housing management standards or tenant satisfaction<br><br>• For cross-authority schemes it is often difficult to reach agreement on the | • The integrity of their quality assurance processes cannot achieve the level of inspection based schemes<br><br>• There can be no guarantee that skills learned by landlords and agents will be applied in practice<br><br>• These schemes are, arguably, less well able to secure sufficient landlord engagement |

| physical standards to be used | • It is often difficult to identify sound performance indicators that can be used to measure their success / effectiveness, which is a particular difficulty when seeking funding renewal from sponsors. |
| --- | --- |
| • It is difficult to apply or modify for use with agents and efforts to do so are likely to be costly | |

This is only a brief summary of the merits and demerits of the two main models. It should not be assumed from this that they cannot be adapted to mitigate their weaknesses. For instance, the inspection based schemes can usefully incorporate pre-membership training; establish in-membership CPD requirements; construct a tiered system; and build in periodic upgrading of standards.  These additions can help to create a more positive 'helped to' rather than 'told to' atmosphere in which inspection takes place; to give the necessary focus due to management standards; and to ensure that everything is being done to encourage improvement and help raise standards.

# CHAPTER 10: THE DECLARATION AND CONDITIONS OF MEMBERSHIP

**The declaration's components**

Making a formal declaration should be part of the application process and the requirement to meet a set of conditions before membership is granted. These may include some or all of:

- signing a formal declaration

- passing a fit and proper person test

- successfully completing any pre-membership training requirements

- passing any required verification exercises.

In general terms, in making a written declaration, applicants are:

- formally confirming that they are committed to complying with the scheme standards as set out in a standards document (more common in property inspection based schemes) or in a code of conduct / practice for members (more common in skills-based schemes)

- making themselves voluntarily accountable to scheme operators and to consumers for the services they provide

- submitting themselves to the terms and conditions of membership as pre-notified to them.

Typically, for schemes which accredit landlords on the basis of property inspection, the applicant's declaration will entail confirmation that:

- they comply and will continue to comply with the scheme's management standards as set out in a formal standards document

- they have provided a full list of their properties for accreditation

- their listed properties comply with scheme standards

- they agree to abide by the terms and conditions of the scheme and membership of it, including payment of any associated fees

- they agree to submit themselves to the scheme's complaints regime

- they consent to their membership status being placed in the public domain.

Typically, for skills-based schemes, the applicant's declaration will entail confirmation that:

- they will comply with the scheme's management standards as set out in a code of conduct / practice

- they are a fit and proper person

- they agree to abide by the terms and conditions of the scheme and membership of it, including payment of any associated fees

- they agree to submit themselves to the scheme's complaints regime

- they consent to their membership status being placed in the public domain.

As an additional quality check, some schemes make it a condition of membership that a landlord is a member of a landlord association recognised by the scheme, local authority or other agency.

Fit and proper person test

For the schemes which have a fit and proper person – or suitable person – requirement, applicants should be asked to complete a form in which they declare themselves to be a fit and proper person to be accredited (see sample *pro forma* at Appendix A). Specifically, this needs to encompass anyone associated with the applicant and should include reference to any unspent convictions relevant to the application. The form should cover the following types of offence explicitly: fraud, dishonesty, violence, drugs, sexual offences, unlawful discrimination, breaches of housing or of landlord and tenant law, being in control of a property subject to a Control Order (Housing Act 1985) or to a Management Order (Housing Act 2004), being in control of a property on which a local authority has carried out works in default or where the applicant has been convicted of a criminal offence or been the subject of legal proceedings commenced by a local authority or other regulatory body, breaches of licence conditions (Housing Act 2004), conviction for charges relating to harassment or illegal eviction. An exemplar pro forma is included in the appendices to this guidance.

Where checks show up concerns, scheme operators should proceed with caution and assure themselves fully that the information on which they are proposing to base a rejection is fully accurate and that the decision to fail an applicant is a properly proportionate and defensible one, if they go down this route. Care also needs to be taken to comply fully with the Rehabilitation of Offenders Act 1974, ie not to take into account convictions which are spent. This requirement for heightened rigour reflects the potential seriousness of the consequences of being judged not fit or proper, in both personal, reputational, business and economic terms for the applicant.

As good governance practice, schemes should put in place an appropriate appeal mechanism for use by applicants who fail the test.

It is important that scheme operators ensure appropriate record-keeping in relation to fit and proper person tests, including correspondence with source organisations and records concerning the formulation of a decision and its reasons. Diligence in maintaining this documentation is required to minimise risk of litigation – as an evidence base / audit trail to demonstrate that, in any given case, all reasonable efforts were made to secure relevant information about an applicant's background and that the decision reached was fair on the basis of the information available. Record-keeping needs to be supported by good data protection practice, including proper notification of information use and retention to applicants (particularly as much of this will fall within the category of 'sensitive data' under the legislation). This guidance on record-keeping is offered specifically because of multiple reports by scheme operators that gathering information and views from source organisations on whether applicants are fit and proper persons is often a particularly difficult area.

Membership status

Scheme operators should have in place robust administrative processes for ensuring that all conditions are fulfilled before accreditation is granted. In schemes that include some form of pre-entry verification of property / management standards, this may not always be straightforward. Between application and full membership, a landlord's status may shift, for instance:

- membership or continued membership confirmed

- membership / continued membership confirmed subject to a satisfactory check that required works have been done by a specified deadline

- consideration of membership to be delayed until works have been completed

- membership suspended subject to completion of works

- membership still under consideration pending a further visit

- membership declined.

Schemes should have a definitive schedule of membership decisions of this kind to avoid confusion.

For property-based schemes, particularly those in their early stages of development, a pragmatic approach to accrediting applicants may be important to help build membership volume – for instance by awarding membership but providing an extended period of grace within which to complete works needed for compliance in the case of properties which present particularly difficult challenges. It is important in such cases to keep a full log of exceptional arrangements and to verify compliance by the extended deadlines. Failure to do so can lead to uncertainty about legal status, fees liability, submission to scheme terms, conditions and processes and access to benefits / privileges, including badging for marketing purposes. At its worst, this can be damaging for a scheme's reputation.  Once a scheme and its membership base have become established, operators should be more circumspect about making exceptions of this kind in order to support good quality assurance.

Reaccreditation

In a survey of the accreditation sector in 2011[11] it was found that instances in which scheme operators had little or no sense of tenure periods were common. Failure to put in place fixed membership periods with a requirement to formally renew commitment will expose a scheme to a high risk of poor credibility and loss of reputation in the medium term. Periodic reaccreditation is necessary to:

- renew and refresh members' commitment and formal undertaking to the scheme and its standards and to making themselves accountable

- focus them on the continuing need to remain compliant

  o in property and management standards

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[11] Undertaken by Unipol in preparation for passporting arrangements for the AfS / Unipol scheme

- often, in completing the required diet of CPD

- act as a useful trigger for scheme operators to repeat fit and proper person checks

- act as a trigger for review and updating of the scheme standards.

A membership fee levied per period can help to underscore the formality of the commitment, as well as providing a regular income stream. It is possible that a scheme's membership level may fluctuate as a result of imposing a requirement to rejoin. Some landlords may make a decision to allow their membership to lapse. Scheme operators should not necessarily be concerned about this: although building and maintaining membership volume is important, ensuring that members are committed and compliant is at least its equal as a priority in upholding the credibility and integrity of the scheme. The reaccreditation process is a quality assurance mechanism and serves a useful purpose in weeding out unsatisfactory landlords and properties. In the longer run a scheme's membership should build more effectively and meaningfully with the renewal requirement in place than without.

A survey of the sector undertaken for this guidance shows that where schemes operate with fixed tenures, typically they require members to rejoin every three to five years (three yearly being the ANUK position).

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### *UK Landlord Accreditation Partnership – reaccreditation requirements*

*Individuals accredited with the UK Landlord Accreditation Partnership (UKLAP) will be reaccredited after five years, provided they:*

- *Continue to be a fit and proper person*
- *Have complied and continue to comply with the code of conduct*
- *Have taken steps to maintain and update their knowledge during the five years*
- *Have accumulated 60 CPD points*
- *Have undertaken at least one training session (three hours) on sustainability issues incorporating fuel poverty, the Green Deal and energy efficiency. The training may be provided by UKLAP or any other PRS training body within the first two years of accreditation for newly accredited landlords and agents*
- *Have undertaken at least one training session (three hours) on property condition related issues (including aspects of fire safety, repair and hazards to tenants and visitors) before the end of the initial accreditation period of five years. Please note that this CPD training will count towards reaccreditation. The training may be provided by UKLAP or any other training body within PRS.*

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Expulsion and readmittance

As with fit and proper person tests, expulsion is a decision that should be taken only on the basis of thorough consideration within the framework of robust governance arrangements, especially given that this status will be placed in the public domain. It is important that those charged with sitting in judgement in serious cases are prepared to expel a member, where allegations are substantiated and where the finding warrants this sanction. Being seen to make use of this provision helps to

convince member landlords, tenants, sponsors and others that the scheme has value. Conversely, failure to use it can erode confidence in the scheme.

Schemes need to provide formally for dealing with the terms under which expelled landlords or agents are permitted to join afresh and any terms of readmittance. This is a common omission in scheme terms and conditions.

Passporting

Where applicants are members of a different scheme, scheme administrators may wish to consider admitting them to their scheme. Passporting of voluntary of accreditation between schemes is an increasingly common practice, as it supports the interests and objectives of both scheme operators and landlords: it helps to achieve a 'quick win' in boosting membership volume, often  very significantly; and it is attractive to landlords whose portfolios straddle the geographic or market scopes of different schemes. However, it is essential that in providing for it, operators put in place a number of checks:

- to assure themselves that the standards in the other scheme are comparable

- to check that the other scheme operates to the ANUK core values, including in relation to the cycle of verification and membership renewal

- to check the applicant's status with the other scheme, having first secured the applicant's written consent for these purposes (including any records of complaints, confirmation that any fit and proper person checks were satisfactory, the date of their most recent accreditation, records of training undertaken)

Where these checks identify a deficit in an applicant's profile, it may be appropriate to offer the option of topping-up training or inspection to enable them to meet the required standard.

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**DASH Landlord Accreditation: passporting**

*'Passporting' is an important part of how DASH Landlord Accreditation operates in the East Midlands, as a scheme established on a cross-authority basis. If there is an existing local scheme in operation in a new partner's area (for example Northampton Council previously had a student accreditation scheme), landlords can be passported into DASH Landlord Accreditation. The scheme has also developed a relationship with national schemes like the NLA, which includes formal recognition of the creditability of each other's membership for accreditation purposes.  To take two examples, if a DASH applicant is already accredited through the NLA, the landlord would not need to complete the normal training requirement; and if a landlord is accredited through Unipol then DASH would not inspect the landlord's property again.  These mechanisms for cooperation are important ways to improve efficiency, manage resources effectively and grow membership.*

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**AfS/Unipol Code: passporting**

*Launched in 2012, the Unipol / AfS  Code was run by Unipol Student Homes for landlords and agents who advertise properties through the website of*

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*Accommodation for Students (AfS). The scheme was specific to off-street shared student accommodation and combined a mandatory skills-based training package and verification visits of 1-in-5 or more of a landlord's properties. The purpose of the Code was to establish a voluntary national benchmark standard that was understood and offers reassurance to students and parents using the AfS website. The Code was supported by the NUS (National Union of Students) and ASRA (Association of Student Residential Accommodation).*

*On the issue of the Code's 'currency', its standards were consistent with regulatory regimes across all local authorities and countries (including Scotland and Northern Ireland) and takes into account that some landlords are already accredited in local or national schemes. So landlords are not being asked to meet standards that are contradictory. Where an existing scheme is doing good work, this is recognised in the application process and fee-charging regime for the Unipol/AFS Code. Where additional regulation has been applied (particularly in Scotland and Wales) which raises regulated properties to the accredited standard then those properties are also recognised as meeting this quality threshold.*

*As the secretariat for ANUK, Unipol graded schemes it knew about so that there was no duplication of effort. Those landlords and agents within existing accreditation schemes could be 'passported' into the AFS Unipol scheme, and, depending on what type of scheme they are in, they should receive a discount on the fee for joining the AFS/Unipol Code.*

Continuing improvement is concerned with:

- training and development

- graded scheme structures

- periodic upgrading of scheme standards

**Training and development**

Training itself is not one of the four core values established by ANUK. However, it occupies an important place in most schemes and is of universal relevance to serving the core value of continuing improvement. For inspection based schemes, training is key in ensuring that they go beyond recognising standards and actually help raise them. For skills based schemes, training is the central content of the operation and is the object on which the core value of verification is focused.

The condition of a property is, of course, of vital interest to scheme operators and tenants alike. Although it is generally a good indicator of the housing management competence and general professionalism of a landlord or agent, it is important to support the quality assurance that this provides with a set of training requirements. These requirements generally take two forms: foundation training and continuing professional development.

Foundation training

Successful completion of a foundation training course is often a precondition of scheme membership. This is particularly true of skills based schemes. The components should be closely related to the formal scheme standards / code of conduct / practice.

Typically the foundation course is a one-day commitment and covers:

- landlord and tenant issues

- health and safety

- contracts

- property management

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**ANUK/Unipol National Code: online foundation training programme**

*Organisations applying to join the ANUK/Unipol Code, a property based scheme, also have the option of putting staff through a short online training programme.*

*Using videos and text, the course is designed to impart essential and useful information about renting to students and about the Code. It takes about an hour and is backed up by a full set of documentation that landlords will find helpful in understanding and applying legal and good practice standards relevant*

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*to the sector. The course is based on the ANUK/LACORS Landlord Handbook together with some specialist material, knowledge of which is necessary for operating in the student sector.*

*The course has an introduction and is then in five parts:*
*Module 1 - Introduction to the online course (includes introductory video)*
*Module 2- Introduction to the Code (includes introductory video)*
*Module 3 - Equality, Diversity, Marketing and Tenancy Commencement*
*Module 4 - During the Tenancy and the End of the Tenancy*
*Module 5 - Health and Safety*
*Module 6 - The Environment, Sustainability and Dispute Management*

*After each module there is a short multiple choice quiz to show that the information has been assimilated and understood.*

*Staff can download a certificate for each module successfully completed as proof of continuing professional development. It is also possible to download a certificate for successful completion of the full course.*

Continuing professional development

Continuing professional development (CPD) is of particular importance in raising skill levels beyond the base level established by the foundation course for scheme entry or by the scheme standards document. CPD helps to make scheme upgrades possible – and palatable – by raising the level of professionalism of the membership base over time. For many schemes members are required to complete a defined diet or quantum of CPD within a given period (usually annually or within the tenure cycle).

Courses extend from a couple of hours to a full day. They are given by a range of professionals according to the theme. Delivery can be by physical attendance or online. Many schemes favour a blended approach: attendance at a real event is important for members to be able to meet and network and to get a full sense of being involved in a wider movement to raise standards. Online provision is convenient, often cheaper and effective. Webinars are a cost-effective alternative to in-person events. CPD points are often used. These have the merit of providing clarity on scheme requirements.

Examples of training themes found for this handbook include:

- the Housing Health and Safety Rating System

- effective letting

- serving notices to tenants

- guides to Energy Performance Certificates

- local housing strategies

- new legislation

- handling complaints

It is important that scheme operators make serious efforts to satisfy the appetite of member landlords to engage in more specialist training modules on areas of interest to them.

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***Wakefield Responsible Landlords Scheme: regular training events***

*The first event the scheme ran had low attendance. The second was boosted by a mailshot saying how people who had attended the first one had enjoyed it and reporting what absentees had missed. Interest and attendance has grown from these modest beginnings to a high current level of attendance of. Scheme managers attribute this success to word-of-mouth within the landlord community, built on getting the planning of training events right: tightly controlled and properly worked out agendas with a diverse range of speakers talking about diverse subjects that scheme members want to hear and learn about.*

*Training events have achieved a good mix of small and large landlords and a good age range. Informal advice is routinely exchanged over lunch, when deals are also often done. Scheme operators are about to start charging commercial firms a fee for their pitch at training events. Their attendance has been given a legal health check by the Council's Legal Services department, who have provided a one-line disclaimer about endorsement. Commercial firms (eg insurers) are also given a platform as part of the agenda. The scheme has run three landlord fairs in Wakefield to date (46 stands at each one) – in conjunction with the RLA and NLA. Some new members have been picked up through these events.*

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***DASH: online training***

*Training and continuing professional development provided by DASH used to be all classroom-based, but following review, a major investment was made in designing and implementing an online training course in 2013. In the design process it became quickly evident that some scheme partners were sceptical about the efficacy of an e-approach, fearing that the outcome would be a tick-box, heavy-text course. Considerable time and effort was invested in allaying these concerns and winning over consumer support. As a result, the course is highly robust and interactive, incorporating both multiple choice questions and a tutor-marked assessment.*

*In order to measure the success of the training, each delegate is asked to complete a pre- and post-training survey which measures the landlord's own perceptions of the value added to their knowledge and understanding.*

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Support for landlords in property inspections

Additionally, for schemes which contain an element of property inspection (see Chapter 12), inspection visits provide an opportunity not just to test compliance but also to lead, advise and encourage landlords / agents in getting up to standard or to improving beyond this level.

The inspection process and documentation which supports it should reflect throughout the scheme ethos that joining is voluntary and that particular emphasis is placed on helping landlords to improve standards. It is important to stress that the assessment process is not just summative (pass / fail) but also formative – the inspector will highlight any areas where the property or its management does not currently meet scheme standards and advise on how to achieve compliance. To this end, it should be made clear to landlords, both in scheme documentation and at the point of application, that they or their nominee for these purposes is expected to be present throughout the inspection visit and any follow-ups. This helps in creating an effective and immediate dialogue about issues which might need addressing. Although it is not the job of the inspector (or verifier) to act in the capacity of surveyor, they can discuss solutions to problems, act as a sounding board and explain issues as seen from a local authority's or tenant's perspective in an impartial and positive way. The verifier is there to provide pointers, to spot things that the landlord might have overlooked and to help structure the pathway to compliance – for instance discussing and helping plan the relative prioritisation and timescales for HHSRS remedial work. It is important that the verifier sustains this close working relationship with the landlord throughout the process to the point of conclusion.

It is worth relaying the positive message to applicants that many landlords use the inspection process as a management tool to ensure that their policies, documentation and procedures are fully up to date and in order. The onsite visit can be used to motivate and to improve staff in engaging with high quality management. The vast majority of inspection visits are perceived by landlords as a positive and rewarding occasion.

> ### *DASH: property inspection as a formative experience*
>
> *When DASH first started operating, its property inspection was a formal EHO-type event, in which the inspector had little interaction with the landlord and completed a word-heavy report, sent in the post to the landlord after the inspection. This has changed and the property visit now forms part of the landlord training, in which the DASH representative delivers in-property advice and engages the landlord in the inspection process. The property improvement plans which underpin the process have been simplified and stripped of technical language in order to place the inspector and inspected on a level plane to facilitate a more informal and cooperative working relationship.*

Graded scheme structures

While a one-tier scheme is generally an effective means of recognising landlords / properties which meet required standards, achieving the aim of raising standards can often be helped by structuring a scheme according to different levels of standard. These can, for instance, be designated as gold, silver, bronze or assigned different numbers of stars. Grading might relate to a specific theme such as energy performance and green credentials. The marketing value of being able to badge landlords / properties as scheme compliant-plus is often a strong incentive for members to raise their standards and improve continually. (See Chapter 8 for further guidance on graded schemes.)

Periodic upgrading of scheme standards

From time to time schemes need to be reviewed to measure their impact, evaluate their success and identify areas in which processes or standards need to change. An important component of any such review is the question of whether standards could be raised to the benefit of the stakeholders and the overall scheme objectives.

Care should be taken in how this question is addressed. Full account needs to be taken of (any) changes in expectations within the market. A proposed set of upgrades can sometimes meet with hostility from landlords and set up tensions amongst stakeholders. It is important to identify in advance changes likely to lead to opposition from landlords, and to consult widely on them. While they will be receptive to changes required by legislation, they are more reluctant to accept non-statutory changes to standards.

The risks of open opposition need managing. The context of close stakeholder involvement in the set-up and ongoing steer of the scheme set the optimal circumstances in which to manage such risks. Additionally, having in place a tiered system can be a good springboard for upgrading, for instance by making the second tier the new standard and adding a new top tier. Tiered systems are effective in creating a spirit of continuing improvement so that news of a proposed change in standards is likely to be better received by the membership.

As a first step, a review body with appropriate representation of the key stakeholders should be constituted (see Chapter 7). In preparing the ground for reviewing the level of scheme standards, the group should:

- analyse current scheme penetration of the market

- assess evolving consumer expectations

- consider the balance of membership across tiers, if the current structure is graded.

During the review process, it is important that scheme operators take a view on what is practical and achievable when upgrading standards and that changes are kept to a reasonable minimum consistent with legislative changes and which reflect what the local market will support. In formulating any specific upgrades, the group should give careful consideration to the cost implications of upgrades, particularly those which will be borne by member landlords. At its worst, misjudgement on this point could lead to a dip in membership.

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*Review Process for the Unipol Code*

*Each Unipol Code for shared student housing is reviewed on a 3-year cycle by a Review Group formed specially for this purpose, comprised of representatives from Unipol, landlords, student unions, the local authority, community groups, fire and rescue, and police, with landlords constituting about half of the grouping.*

*The review process typically has 3 stages:*
1. *Unipol circulates a document with proposed scheme changes based on legislation, market trends and best practice to all relevant stakeholders and all scheme members for an open consultation, with stakeholders also invited to submit their own comments or suggestions for scheme changes*
2. *The review group meets to discuss the results of the consultation and refine any proposed scheme changes*
3. *A final document is sent to all stakeholders and scheme members for final comments and is then formally approved through scheme governance structures. Where there are significant changes to scheme standards, an additional implementation timescale may be agreed.*

*The new scheme standards are then introduced from a certain date, with members normally given a grace period of around 3 - 4 months in which to rejoin and maintain continuous membership.*

*This 3 stage process allows sufficient input and allows for open discussion and negotiation of scheme changes between parties, whilst maintaining a sense of ownership from landlords.*

**Who or what to verify**

The decisions on who or what to verify are likely to be driven by a number of, often conflicting, factors:

- serving the scheme objectives and ethos most effectively

- taking due account of the local housing stock and market (including consumer expectations)

- meeting the cost – standards verification is expensive and likely to account for a significant proportion of the scheme budget

- assuring compliance – whatever verification system is adopted, it must command an adequate level of confidence amongst stakeholders that it is testing compliance on a sufficiently broad and consistent basis

- building membership – the specifics of verification arrangements can make the difference between allowing and inhibiting growth.

In giving weight to the relative importance of each of these factors according to local circumstance, scheme designers are likely to come up with one of the following forms of verification system:

- accrediting landlords through training (verified through testing and monitoring) and without property standards verification

- accrediting individual properties rather than landlords (verified through inspection)

- accrediting landlords through inspection of:

  o every property within their portfolio

  o a sample of their portfolio against a scheme formula

  o properties which the scheme allows the provider to cherry-pick from their portfolio for membership purposes

- accrediting landlords through self-certification, checked by random inspection

- permitting the accreditation of both landlords and individual properties

- relying on a complaints system to identify and act on non-compliance.

<u>Property inspection</u>

For many schemes property inspection is the primary instrument of verification and compliance testing. Often it works alongside other system checks, including self-assessment, responses to formal complaints and tenant satisfaction monitoring activities, and is supported by skills-based training.

Verification of individual properties and landlord accreditation through verification of all properties

Accreditation of individual properties and accreditation of landlords through the inspection of all their properties are straightforward in that there is a cast-iron direct match between what is accredited and what has been verified. For this reason, these forms of verification system have the merit of a high level of certainty in property standards compliance and, for tenants and landlords, are the most readily understandable type of testing arrangements. However, it does come at a premium price: scheme costs will be substantial for whoever shoulders the burden (see Chapter 16). Additionally, experience has shown that for many such schemes the misalignment of commitment on property inspections and human resources available to undertake the task has caused delay or failure to verify comprehensively or consistently, sufficient to compromise scheme integrity and put its success at significant risk. One argument put forward by advocates of skills-based schemes is that a significant proportion of the cost of inspections is spent on already compliant landlords and properties rather than on higher-priority sub-standard targets. For verification purposes, however, inspection-based schemes are committed to assuring themselves and their stakeholders about the quality of all applicants as a matter of public confidence.

Landlord accreditation through sample inspections

Some schemes operate verification systems in which, subject to compliance, landlords are accredited following inspection of a sample of their properties. The sample size is generally worked out on a simple formula basis and may be extended if issues (particularly patterns of issues) come to the attention of the scheme operators either during the course of the inspection process or as a result of information received from other sources, such as complaints. Typically, the ratio of sample to portfolio is between 1 : 3 and 1 : 10. For single-property landlords it is standard practice to inspect that property. Where landlords are seeking reaccreditation, many schemes ensure that the inspection sample is entirely different to those used in earlier cycles.

> **Liverpool Student Homes**
>
> *Liverpool Student Homes inspects a sample of a landlord's portfolio as the main basis for accreditation. While all accredited landlords enjoy the privilege of a heightened profile for their property adverts on the LSH website, properties which have actually been inspected and verified as compliant are accorded an additional flag to support their marketing.*

As a matter of transparency for the benefit of stakeholders, schemes should have clear published information about the sample ratios and sampling processes that they use.

Many authorities would prefer to inspect all properties to ensure they meet scheme standards but this is likely to be too expensive. The aim of sampling should be to undertake the minimum number of inspections consistent with ensuring there is a high probability that *all* properties meet scheme standards. The calculus of how few that turns out to be will vary according to local circumstances and, in particular, the market profile.

Verifying a proportion of a portfolio selected by the landlord

In the seminars held to support the production of this handbook, there was strong agreement amongst delegates that schemes which permitted applicants to become accredited landlords through choosing which properties from their portfolio to put forward for inclusion in the scheme

were undesirable because confusion is likely to arise about which of a landlord's properties are covered by the scheme. This can often be to a landlord's advantage and a tenant's disadvantage.

This concession to landlords can be helpful in attracting new members, as it does not flatly rule out landlords who have one or two properties which would be prohibitively expensive or impossible to bring up to standard. However, this level of latitude granted to applicant landlords may turn out to impair the integrity of a scheme in the longer run.

A compromise position would be to grant an extended period of grace within which the landlord accepted onto the scheme is required to have completed the works needed for compliance. In the meantime scheme administrators should, if possible, monitor adverts to ensure the non-compliant properties could not reasonably be implied to prospective tenants to be accredited. This degree of flexibility may be an important concession to a scheme's objective to raise as well as to recognise standards. Alternatively, a dual scheme which verifies landlords and individual properties may achieve this outcome. In some areas grant aid may be available to help get properties up to standard. Where this is the case, ready access to the processes for securing grant funding should be integrated into the verification process.

Random inspections

Some verification systems provide for random inspection visits. These may be undertaken alongside sampling in order to reinforce quality assurance. Alternatively, they may be used in schemes otherwise relying on self-certification of property compliance (for instance the ANUK model accreditation scheme). This can be a cost-effective scheme type if the regime of random inspections is sufficiently robust.

Additional inspections

There are occasions when scheme operators may want to inspect properties outside the routine joining and membership renewal processes. These are likely to be a result of:

- a complaint

- information received from another source (eg  a local authority department)

- negative responses from tenant satisfaction exercises.


Information on when and for what reason additional verification may be instigated should be published, clear and transparent.

***The inspection process***

Transparency and codification

The inspection process should be clear and transparent, codified and published. As well as being generally available, it should be drawn to the attention of applicants when they express an interest in joining. The timelines for each stage of the process should be included in codification. There should also be clarity on expectations of applicants in cooperating with various aspects of the inspection process and on fee liabilities and the possible consequences of (repeated) non-cooperation (eg additional fees being incurred for persistent failure to provide access to a property identified for inspection).

<u>In advance of visits</u>

It is helpful at the sampling stage to take account of which properties are currently occupied so that the verifier can see a 'working building'. It is also helpful when arranging visits to take account of the availability of tenants in order to enable the verifier to have a conversation with them about their satisfaction or otherwise with their landlord.

Scheme administrators or verifiers should give landlords a schedule of formal documents for inspection in advance of the visit. These relate to certification, fire safety, the tenant handbook / folder at the property and tenancy matters.

<u>The format and content of inspection visits</u>

The format and content of inspection visits will vary by scheme and scheme type, but typically a good inspection system will include three phases:

- documentation checking

- property inspection (inside and out)

- discussion with tenants about property management and their relationship with the landlord.

The inspection visit should cover the condition of the building, its management and an assessment of tenant satisfaction. For existing scheme members (particularly where the building has been previously approved), management and tenant views can usefully be treated as priorities in conducting inspection visits. For older properties, however, some consideration may still need to be given to physical condition.

Visits should be conducted according to a set format which verifiers are trained to follow and which is made known to the landlord / nominee as part of the application process. This format should be underpinned by an inspection report template to ensure comprehensive and consistent checking.

Scheme operators should devise a framework of questions to help structure conversations with existing tenants and elicit a full and consistent set of information / views as the scheme requires. Where tenant satisfaction surveys are available and areas of underperformance or dissatisfaction can be identified, the verifier should ask the landlord how they are addressing those areas.

Inspection reports should have a section which provides for a full range of decisions / recommendations available to a verifier in order to ensure absolute clarity on an applicant's / member's status at every stage.

Where inspections are undertaken by more than one verifier, the scheme administrator should check inspection reports for consistent practice.

<u>Identifying works required to gain accreditation</u>

Inspection report templates should include a section in which verifiers are required to log actions to be taken by the landlord; a clear timetable for completing the actions; and the status of those actions (eg membership to be granted on condition the required works are carried out to the satisfaction of the verifier). The scheme should have written, clear and publicly available provisions for dealing with and independently resolving disputes over the wording of verification reports.

Scheme guidance should be clear about any additional fees to be levied for any follow-up visits that the verifier determines are necessary to complete the verification process and to support the landlord in completing any logged action points – plus the consequences of failure to pay by the specified deadline.

Delegates at the seminars reported that, where verifiers identified work beyond the scheme's compliance requirements, they found that the more conscientious landlords often undertook this at the same time as action towards compliance. Making compliance-plus suggestions can be a useful strategy in helping to raise standards.

<u>Reliance on a complaints system to identify and act on non-compliance</u>

A complaints system alone is not sufficient to ensure verification. Although it is one of ANUK's four core values, its primary purpose is to provide a mechanism for stakeholders to raise concerns and to have remedied any substantiated scheme breaches. Relying on it as an instrument of verification assumes a very high level of consumer awareness about standards and non-compliance and high motivation to raise and see through complaints to a conclusion. In reality, short-term tenants are rarely driven to complain, and indeed perceptions of an unequal balance in the landlord / tenant relationship lead them to believe that they stand to lose more than they might gain if they 'make trouble', however legitimate. Many practitioners would also question the acceptability of a system which allows for, potentially, a high level of initial non-compliance and consumer dissatisfaction pending resolution.

**Verification of training provision and learning outcomes**

Skills-based schemes and those which rely largely on training as a basis for accreditation and reaccreditation need to establish appropriate mechanisms for the verification of training provision and learning outcomes. Perceptions among members or prospective members of poor foundation training can inhibit engagement and put landlords off joining: "On training … [one scheme member landlord] noted: *There should be another way of being accredited without having to lay out money and attend frankly poorly presented courses."* Not all agreed with this view … but some would prefer more training courses and more access to experts rather than the one-off training." [12]

For training provision the main forms of verification are concerned with:

- accreditation of training course content and trainers

- assigning specific values to courses.


Verification requirements may be limited to the scheme operators assuring themselves that the applicant attended the requisite training event(s), but have enhanced credibility where the applicant is tested on course content and achieves a pass.

For learning outcomes the main forms of verification are concerned with:

- attendance

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[12] *Landlord accreditation,* prepared for the Greater London Authority by Helen Cope Consulting Ltd with Altair Ltd, 2011,p34

- passing a test to confirm skills and knowledge have been acquired.

Where scheme operators undertake all foundation and subsequent training in-house, assurance of course quality should be straightforward. However, schemes often outsource at least part of the training function. Scheme operators should have in place an assurance regime for recognising external training providers and accrediting the training they deliver.

In determining the balance of delivery methods and the breadth and depth of training programmes (both foundation and CPD), scheme operators should be mindful of some concerns registered in the recent past that "skills-based schemes achieve only the lowest common denominator … because training may be infrequent and spasmodic and can now be undertaken online with no face-to-face time and relatively little commitment. An online multiple choice test with no other verification is of dubious value, as it simply shows that someone has passed a simple test."[13]

To ensure appropriate quality assurance, scheme operators should devise a set of criteria and guidance on applying them for use in attaching CPD points to a particular course (and how many).

A valuable reference point for quality assurance in training is the use which providers make of the ANUK *Landlord Handbook* in the content of the courses they deliver.

**CPD monitoring and record-keeping**

Given the important role CPD plays in accreditation schemes (particularly skills-based), it is vital that robust arrangements are put in place to administer and monitor individual accreditees' CPD activity. This includes an IT-supported tracking facility. Operators of skills-based schemes report significant challenges in maintaining a proper grip on this. As a first step it is essential to determine and publicise (heavily and continually) a set of requirements on members for the completion and record-keeping of CPD events (or accumulation of points as appropriate). These requirements should be written into the terms and conditions of membership. Specifically, it is advisable to:

- require members to submit themselves to be checked for having attended CPD events

- require them to retain evidence of attendance at events and activities

- alert members to the strong possibility these may be requested for reaccreditation

- do spot checks from time to time – and publicise this

- require members to record details of their CPD in a designated place (eg on the scheme website) or make a periodic declaration of CPD undertaken to scheme administrators in a specified medium (pro forma or via email)

- require CPD declarations from members annually (as aligning the requirement with reaccreditation – typically three- to five-yearly – gives only weak verification of whether an accreditee is still active in the area and actively engaged in extending their skills and knowledge)

- issue certificates to members for successful completion of, or participation in, recognised events (and get partner trainers to do likewise)

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[13] *Landlord accreditation*, prepared for the Greater London Authority by Helen Cope Consulting Ltd with Altair Ltd, 2011, p36

- extend the code of conduct / practice or the terms and conditions of membership to provide for action against members falsifying CPD information.

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**The National Landlords Association: CPD reporting and monitoring**

*Whichever route a landlord uses to complete the NLA scheme foundation course (online or in attendance), they are sent a certificate along with vital information reiterating the importance of CPD. This includes instructions on how to use the CPD area on the scheme website.*

*Attendance at NLA meetings where registers are taken, at local authority events and conferences all contribute and attendance is recorded at each event and added to the member's CPD record. The NLA validates CPD nine months after the date of accreditation by checking each landlord's CPD record. Rather than a paper-based system, this is done online through the internal database of accredited landlords that lists by month which landlords need to be checked. This is done at the nine-month stage so that NLA can contact the landlord, giving them the opportunity to rectify the matter before month twelve. The library also provides reports of those landlords who have never visited the CPD area to record their development to the operations team.*

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In skills-based schemes accreditation is straightforward for individual landlords or agents who operate on their own. For larger provider businesses there is the question of who to accredit. In recent years a 'two thirds' rule has grown up and become established to deal with this: if a provider or agent has more than three employees involved in the management of a portfolio covered by the scheme, a minimum of two thirds of them must undertake the foundation training before accreditation of the organisation can be granted and must maintain the requisite CPD level. (For providers with one to three employees, all must undertake the foundation training and CPD as required.) Scheme operators should make it a condition of accreditation that providers notify them immediately of any departures from their organisation which take their training quota below the two thirds level.

**Purpose**

As a core value within the ANUK framework, the provision of a complaints process is an integral component of any accreditation scheme design. Its primary purpose is to give complainants a reliable mechanism for having their case considered fairly and for securing redress and appropriate remedy where their complaint is substantiated.

Precepts

Specifically, a complaints regime should:

- be fair and independent

- provide a clear, codified, objective set of  procedures for handling and addressing complaints from tenants and also from landlords and scheme operators

- set out the responsibilities, rights and reasonable expectations of landlords and tenants in relation to how complaints are dealt with

- ensure information on how to make a complaint has high visibility among stakeholders

- provide for cases to be handled and heard in a confidential environment

- weight the procedure to support informal resolution, where possible

- give emphasis to ease of access and remedies quickly made (tempered by the need to observe due process)

- include provision for referral of complaints for adjudication by an independent party to ensure fairness

- be available for use by the key stakeholders, not just tenants.

Whatever arrangements are in place for handling complaints, they must be comprehensively documented to provide an objective reference point for all parties. The scheme should also require members to include the document in the pack made available to prospective tenants before they sign.

Eligibility

Who is eligible to use the process needs to be made clear in the procedure and in any supporting guidance. Although some schemes assume that this is limited to tenants, a complaints procedure which allows issues to be raised by landlords and by neighbouring residents will enjoy more support from stakeholders and higher credibility as a result. At a more detailed level, in order to avoid dispute arising in a particular case, it is helpful to be clear in the procedure about who counts as a:

- *neighbouring resident* for the purposes of complaints relating to nuisance in the community (eg, someone who lives within 400m of the property which is the subject of the complaint)

- *former tenant*, given that, as a matter of fairness, someone should be allowed to complain about their tenancy after it has finished (eg, up to one year after a tenancy has ended)

- *legitimate proxy* complainant (eg, someone who has been formally nominated in writing by a tenant or former tenant as their representative in a complaint matter)


Scope

The procedure needs to be clear on the scope of complaints which can be brought. In particular, the use of deposits for assured shorthold tenancies should be explicitly excluded from the complaints process and appropriate details given to tenants about the registered schemes that protect tenancy deposits and to which tenants should direct any related complaint. Where issues with deposits are part of a wider narrative of problems, an exception may be made to this exclusion.

Informal and formal routes

The procedure should provide for both informal and formal routes for complaint resolution with clear separation and linkage. It is important to specify an expectation that most complaints will be capable of informal resolution, ie bilaterally between the parties in dispute. This is because an informal approach generally yields a quicker conclusion; helps to maintain a better underlying relationship between the parties for future dealings; and avoids the costly administration of formal process. If a scheme fails to weight the informal / formal balance correctly, it may result in operators becoming quickly over-burdened with formal actions.

The informal part of the procedure should be clear on how the parties engage with each other, how they exchange complaints / responses, the role (if any) of the scheme administrator and expectations on timescales for completion. The formal part of the process should be clear on:

- the process itself and its conduct

- the identity, role and authority of all individuals and bodies which play a formal part

- the formal decisions, penalties and remedies available for decision-makers to use at different levels of the process

- timescales for the completion of cases by stage

- the publication of substantiated complaints against members (as provided for in the terms and conditions documentation which members sign up to at the point of application).


For some complaints it may be necessary or appropriate for the property concerned to be visited and / or inspected by scheme representatives as part of the process for resolving the issue.

It should be made clear in the scheme details that the complaints procedure is not for the settlement of legal disputes and that if the parties to the complaint have started legal proceedings that the complaint investigation must cease until the conclusion of this.

The element of independence is essential for the fairness and integrity of the process. While inappropriate at the informal stage, it needs to be enshrined in the formal part of the process by constituting a tribunal body that is required to have external, independent representation. Typically,

the membership profile of tribunals will include representatives of the relevant local authority and a landlord association. For student schemes nominees of relevant higher education institutions and their students' unions are a common feature. Peer involvement from neighbouring schemes is also a good option for satisfying the independence requirement.

Cross-agency complaints processes

Some schemes that are separate from, but operating under the aegis of, their local authority have in place arrangements for administering particular types of complaint or the informal stage themselves, while referring other types or formal complaints to the local authority to deal with. Where this is the case, it is important for the complainant that the process and its coordination across complaints managers based in different organisations are as seamless as possible. Complaints mismanaged or subject to procedural irregularity not only take more time to sort out, but can compromise the integrity of the system.

Tariffs

Some schemes also provide a tariff of penalties by offence type, which, though good practice in terms of transparency, can make unusual cases difficult for adjudicators to determine.

Mediation

Providing a mediation service or securing a service arrangement from a qualified mediator is an option worth exploring. This is unlikely to be cost-free. If the role is wrapped into the responsibilities of scheme administrators, they should be equipped with the requisite skills through training. Where provided, it is important to be clear what the relationship of mediation is with the rest of the complaints procedure

Public domain

As noted, the outcomes of substantiated complaints should be placed in the public domain. Some schemes categorise offences by level of seriousness and make only some of them publishable. Landlords should be notified of this feature of the complaints process before they sign up. Because of the potentially serious consequences for reputation and business, applicants' declarations should include a requirement for landlords to consent formally to this provision. This is a powerful instrument of assurance: naming and shaming is extremely effective but must be done responsibly.

Notification of decisions

To serve the principles of natural justice in common law (and human rights legislation), it is important both that all decisions notified to parties are supported by full explanations and reasons for that decision. This also helps to provide assurance in the decision making process of any tribunal has been undertaken correctly.

Monitoring

Complaint types and numbers should be continually monitored. Management information on complaints can be a useful performance measure (see Chapter 7). It can also allow patterns to be identified, which may be more generally remediable or preventable by the scheme, eg through training.

**Redress scheme for letting agents**

Under the amended Enterprise and Regulatory Reform Act 2013 the government now has the power to require all letting and managing agents in England to belong to an approved redress scheme. Working alongside a new tenants' charter, the compulsory redress schemes are be able to investigate complaints that the fees to be charged to the tenant were not made clear by the agent. For complaints that are upheld, the schemes will be empowered to require the agent to pay compensation to the tenant.

A sample complaints procedure is included at Appendix G.

# CHAPTER 14: FITTING AGENTS INTO THE FRAMEWORK

**Definitions**

Within the private rented sector there are *letting agents* and there are *managing agents*. What these terms mean and how the two roles are differentiated is often vague, even among those who would claim to be one or the other.

For the purposes of this guidance, the role of a letting agent is limited to the advertising, marketing and letting of rental properties, whereas a managing agent is concerned, on behalf of the landlord, with the management of rental properties and relationships with tenants from the point of letting onwards. It should also be noted that some agents perform both roles. (There is some concern in the sector that, where this is the case, skills levels are lower, as the agent's background is often in sales and marketing rather than housing management.) The focus in this chapter is on the role of managing agents and how to put in place verification systems which accommodate their activities.

Options

The decision on whether to include or exclude agents from the scope of the scheme is a first-order issue and requires the closest consideration, given that entirely different strategies, systems and funding are necessary to support agent-inclusive schemes. If the matter is being considered at the point of scheme set-up, the choice of scheme type will be critical to whether agents can be adequately accommodated. However, there may be other local or in-principle factors or preferences which run counter to the logic of adopting a scheme type that can be made more readily agent-inclusive. Key considerations to be weighed include cost, verification quality and the proportion of properties in the market managed by agents rather than landlords.

It may be the case that agents account for only a small proportion of the market and that scheme developers can safely exclude them from membership of the scheme without significant consequence. On the other hand, achievement of a scheme's objectives may be frustrated by disregarding a strong agent presence in the market. (One of the unintended consequences of licensing has been that many smaller landlords handed the management function over to agents, who are often actually less well equipped to do the job.)

Agents can be accommodated straightforwardly in:

- skills-based schemes, because initial training and CPD requirements are applicable to agents in much the same way as they are to landlords (possible issues: local preference for some kind of property inspection)

- property inspection-based schemes with verification systems that support the inspection of all properties within the scheme (possible issues: high cost and low affordability)

- self-certification schemes, including those which operate random inspections (possible issues: local preference for a more systematic property inspection regime).

If, however, the scheme is to be set up, or has already been set up, with verification systems based substantially on an inspection sampling model, scheme designers will need to give careful thought to modifying those systems to deal with agents.

The key problem is that portfolio sampling for inspection purposes is naturally organised on the basis of landlords and property ownership and management. The role of managing agents cuts across this model. To deal with managing agents, verification systems will need adjusting to ensure that an appropriate (invariably greater) sample of the properties managed by an agent is checked. This, in turn, is complicated by the substantial segment of agents who have a high property / landlord client churn. Tracking and adjusting verification and undertaking additional inspections is very likely to increase costs. One solution is to get all landlords for whom a managing agent is working to join individually – the managing agent can then be accredited. If this is not feasible in practice, scheme operators will need to adopt a pragmatic approach which may involve some compromises in verification requirements and membership status.

*The Unipol Code Supporter Scheme*

*This category only applies to managing agents. Individual landlords must join all their properties to be members of the Code.*

*This scheme is for managing agents that are working towards full accreditation but where all of their properties are not yet at Code standard. Supporter members sign a bilateral arrangement with Unipol, which is reviewed every 6 months, that means that an increasing number of their properties meet the standards over an agreed period of time. Supporters who constantly meet their targets can then gain full membership. Membership is for three years.*

*Unipol and the educational institutions recognise that managing agents working towards becoming full members should be recognised as such and advice to students stresses that these agents, and those who are full members, should be given preference over agents who have not joined any scheme.*

*Managing agents who are Supporters join individual properties to the Code and these must be displayed by them. The properties joined are fully covered by the Code and all the standards apply and their tenants have access to the complaints procedure.*

*Those properties managed by agents that are not badged as Unipol Code do not fall under the Code, nor do "let only" properties and those let to non-students.*

*Generally, for a managing agent to gain Supporter status Unipol has be convinced that this is a reasonable supplier with a fair proportion of their properties joining up to the Unipol Code.*

*Verification processes for Supporters are the same as under the main Unipol Code.*

*Agent accreditation in London*

*Agent accreditation in London is delivered through the National Approved Lettings Scheme (NALS), the Association of Residential Lettings Agents (ARLA) and the RICS. The latter and its professional standards are well known and are not covered here. LLAS also offers some agent*

*accreditation.*

*Agents become accredited in a different manner to landlords. The NALS scheme requires firms to meet the criteria and standards that may from time to time be reviewed by the Board to ensure a dependable service to landlords and tenants incorporating the highest levels of consumer protection. It is done by two routes, either the affiliated route, already members of the RICS, or the non-affiliated route, ie for those who are not members of any other affiliating body. With the non-affiliated route, all agents must sign a declaration and undertaking that the NALS standards can be met and supply a range of documents, including for example:*

- *proof of professional indemnity where appropriate*
- *accountant's report*
- *customer complaints procedures*
- *bank confirmation that client accounts are properly set up*
- *terms of business setting out service standards to clients.*

*It is also a condition that they contribute to the NALS Client Money Protection Scheme.*

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### *The National Approved Lettings Standards – service standards*

*Before the letting the agent will:*

- *visit the property and advise on any action the landlord needs to take before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting*
- *give the landlord advice on the level of rent they can expect*
- *if the landlord asks, they will arrange safety checks on gas and electrical appliances*
- *explain the landlord's rights and responsibilities, and the tenant's rights and responsibilities*
- *give the landlord advice on what action to take if the property is mortgaged*
- *give the landlord advice on insuring the building and contents, and other insurance schemes which may be available to protect interests not normally covered in standard household policies where a tenant is in residence*
- *go with possible new tenants to view unoccupied property*
- *choose a tenant in a way agreed with the landlord, taking up references or checking the tenant's rent payment record*
- *arrange for the preparation of a schedule of the condition of the property and its contents for the landlord, together with acceptance by the tenant of a property so described*
- *provide and fill in a tenancy agreement and take a deposit to protect against possible damage or agree with the landlord another sort of guarantee*

- *transfer the bills for the services for which the tenant will be responsible into the tenant's name.*

*During the tenancy the agent will:*

- *collect the rent and pass it on to the landlord every month or as otherwise agreed. The agent will keep a separate client's account to hold all money and (except for Registered Social Landlords) belong to a Clients' Money Protection Scheme*
- *give the landlord a statement of account as often as agreed with them (usually monthly)*
- *visit the property periodically during the course of the tenancy as often as agreed with the landlord (eg, every three months) to check it is being suitably looked after*
- *arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord for approval*
- *respond promptly to the tenant's enquiries*
- *keep an eye on the rent payment record and take reasonable steps to safeguard prompt payment of any money owed.*

*Before the tenancy ends the agent will:*

- *give the landlord advice on their options, including reviewing the rent.*

*If the tenant wants the tenancy to end, the agent will:*

- *serve the correct notices on the tenant*
- *check the condition of the property and any contents and discuss any repairs with you before giving the deposit back or arranging for repairs*
- *collect the key and make sure that the property is secure.*

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### *London Landlord Accreditation Scheme: Accrediting Agents*

*Agents need to satisfy the following criteria to become an Accredited Agent with LLAS:*
- *the Agency must satisfy the two thirds rule that applies to all companies and partnerships*

- *If the Agency has several offices, only the office attending the training will be accredited*

- *To become accredited the directors and staff must attend a one-day development course run by UKLAP, the staff within the agency must be 'fit and proper persons and comply with the UKLAP code of conduct*

*For an agency to be accredited, the Agency must be a member of any of the following organisations: NALS (National Approved Letting Scheme), ARLA (Association of Residential Letting Agents), ARMA (Association of Residential Managing Agents), NAEA (National Association of Estate*

*Agents), RICS (Royal Institution of Chartered Surveyors) or a professional body that is governed by a code of conduct, enforced by the professional body.* **BUT** *agents who are not a member of a recognised organisation can provide other evidence of competency, for example:*

1. *from your bank, we will require a standard letter to state that your client account(s) is/are set up in the correct manner and separate from your office or trading bank account(s)*

2. *professional indemnity insurance depends on your firm's approximate annual (projected) fee income turnover*

3. *supply details which we may use to obtain two references*

4. *details to show how long the agency has been operating*

- *The agency must agree to recommend the UKLAP to all their landlords.*

*Agents would be subject to similar disciplinary action as landlords.*

**Incentive types**

Incentives or benefits for landlords are critical for building and sustaining membership of accreditation schemes. Without sufficient incentives that are genuinely attractive to prospective and existing landlords, schemes will fail to attract membership.

Incentives fall into three broad categories:

- financial
- market advantage
- local

Financial incentives

Financial benefits to landlords are the most obvious type of incentive, particularly when a scheme is in the process of getting established and has not yet demonstrated that membership confers any real market advantage. This is especially true in challenging market conditions, where providers' margins are being squeezed.

For many landlords a significant incentive is a reduction on licensing fees paid under mandatory licensing. Landlords obatin a discount on the standard fee in recognition of the fact that their application is likely to be well-drawn and that their properties are likely to be regulatory compliant.

The potential membership base of a scheme can be used as leverage in securing significant discounts and group purchase from suppliers of goods and services related to the housing and letting industry. Scheme administrators thus need to possess or have access to good negotiating expertise if they are to match the purchasing power of many larger individual landlords. Schemes may also have to reckon with equal or greater scale and consequently better discounts provided by membership of already established landlord associations. Like other aspects of scheme building there is a chicken-and-egg conundrum: financial incentives are important for supporting growth, but fully effective purchasing power is only achieved once a significant volume in membership has been attained.

In negotiating and advertising supplier discounts, local authorities will need to:

a)     take full account of the requirements contained in local authority contract standing orders

b)     assure themselves that they have formulated and publicised appropriately robust disclaimers of endorsement to ensure that members acting on the preferential rates offered cannot reasonably claim subsequently that they relied on the authority's or the scheme's prior vetting or recommendation of a particular supplier.

The Landlord National Property Group may be a useful reference point in this connection – http://www.lnpg.co.uk/about.php.

Goods and services  on which schemes / local authorities typically negotiate discounts include:
- accountants
- building contractors

- building surveyors
- carpet cleaners
- carpets and rugs
- cleaning services
- furniture stores
- gas and electrical safety
- general services
- glaziers
- insurance brokers
- locksmiths
- mortgages
- paint and wallpaper stores
- painters and decorators
- printers, web design
- property maintenance
- registered gas installers
- security services
- solicitors
- tiles and tillers

Market advantage

Market advantage is similarly reliant on the degree to which a scheme has become established. In the start-up phase effective engagement with landlords and tenants, brand-building amongst all stakeholders and proper investment in marketing and publicity can, at least in part, offset the problem of not yet having achieved critical mass in membership.

In undersupplied rental markets it may be difficult to advance an argument for market advantage other than to point out the value of membership to better landlords in distancing them from incompetent or unscrupulous landlords. In London, for instance, market advantage of accreditation is more limited. (Even here, however, scheme membership can make a property more attractive to part of the prospective tenant base.)

In markets that are not undersupplied, market advantage will be an important factor in persuading landlords of the merits of joining. In advancing the marketing advantage as an incentive to join, scheme operators need to be able to provide specific mechanisms to support the claim. Specifically, it is important to devise and promote a scheme accreditation logo which members are allowed / encouraged to use on personal letterheads and in publicity material. Many landlords also value being able to show scheme compliance by displaying a personalised membership certificate and card and property accreditation certificates, issued by the scheme operators. Scheme operators who control websites for advertising lettings should make the most of opportunities to give priority billing to adverts for accredited properties / landlords. It may also be possible to get the operators of websites outside the scheme's control to cooperate in supporting market advantage for member landlords.

In schemes with a highly specific tenant base, for example students, operators may be able to exert considerable leverage in the market to maximise the benefit of competitive advantage. Strong existing communication and publicity networks in these communities can be exploited to heighten consumer awareness of an accreditation scheme. In particular, members of student schemes benefit considerably

from parent institutions and/or their students' unions advising students to rent from accredited landlords only or providing an advertising service exclusively for scheme members.

<u>Local incentives</u>

For schemes which have not yet achieved the level of maturity that confers market advantage and for schemes operating in an undersupplied market, there is, as noted above, limited scope for negotiating major discounts with trade suppliers. In these circumstances a third set of incentives becomes vitally important in maximising the business argument for membership. Benefits in this category relate to what the local authority and the scheme itself can provide. If schemes are not run from within a local authority, lobbying for benefits is an area of activity in which schemes should invest resources.

These benefits can be zero or low cost to those providing them. Others may have a greater cost attached, but in many cases are a highly effective way of helping to achieve wider strategic housing objectives.  Their importance to member landlords is not only monetary; they can help convey a powerful message that the council recognises and values the work that accredited landlords are doing. They include:

- free listing of property adverts for member landlords on the local authority website*
- car parking permits for landlords (and their contractors) with accredited properties in areas of the town/city where residents parking schemes are in operation*
- waste management permits, negotiated with local authority cleansing services (eg once per month or useable between lets for landlords to dispose of household waste*
- a tenancy agreement generator and letter templates and forms relating to tenancy agreements, rent, arrears, complaints, checking notices plus other standard documents for members' use
- in-membership training events – landlords are almost universally enthusiastic about training events and the process of scheme operators and local authorities *engaging* with landlords is in itself of value to them. This applies also to open events which offer a discounted rate for scheme members*
- access to grants and loans, where available, to renovate properties to relevant standards set by the scheme (for example a maximum of £500 per property to address HHSRS issues (eg excessive cold and the purchase and installation of new boilers) or energy performance (eg free loft / wall insulation))*
- assistance with property upgrade plans to meet the accredited property standard
- access to a private sector leasing scheme
- a dedicated members' helpline* or one-stop shop or dedicated liaison officer for information, support, guidance and advice, including:
  - housing advice
  - advice on standards and compliance
  - advice on managing empty properties
  - advice on accessing energy efficiency grants
  - information on housing management
  - advice on how to tackle anti-social behaviour, noise nuisance, statutory nuisance and air pollution
  - guidance on legislation, regulations and codes of practice
  - advice on pest control

- advice on drainage
- a members' handbook
- free Energy Performance Certificate (EPC)
- free fitting of smoke detectors
- free (limited) energy-efficient light bulbs
- free draught-proofing, loft and cavity wall insulation installed
- an improved relationship with the local housing benefit department (within the current organisation of benefits and their administration)
- an HMO licence discount (£100 discount on full fee of £350 per property for example) – worth significant savings for larger landlords*
- a free tenant finding facility
- discounts on tenancy deposit protection
- a tenant vetting service, for example through negotiation with a credit referencing agency (eg one free and 50% discount on the rest) negotiation with a local credit union for interest-free loans to tenants (subject to positive tenant vetting)
- access to a tenancy bond scheme
- tenant training
- a regular newsletter for members (inc legislative and regulatory updates)
- certificates for training achievements and membership cards
- automatic membership of a scheme landlord forum to provide member landlords with an opportunity to share information and gain valuable knowledge (eg from presentations made by council departments and external organisations)
- invitations to private rented trade fairs
- formal mechanisms provide by local authorities to ensure that members are consulted on the determination of policy and strategy on private sector housing and other proposals that may affect landlords
- the opportunity to communicate directly with local authorities, fire service, police and other partner organisations in the area
- access to a mediation service
- the opportunity to use accreditation to join other schemes across the country at no additional charge

The asterisked items indicate those benefits which most landlords value most highly according to a quick poll of schemes conducted for this handbook. (Some of the unasterisked items have high value for members but are not routinely offered.) Licensing fee discounts are a particularly valued benefit – to the extent that if these are not made available as a benefit of scheme membership, many landlords will be put off joining.

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**_Unipol: regular market briefings for member landlords_**

_Unipol holds twice-yearly briefing sessions for members to inform them about trends and developments in their key market, student lets. These briefings cover:_

- _the national picture of supply and demand, as affected by changes in government policy on housing and borrowing conditions; higher_

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> education (eg student number controls, tuition fees); and immigration and visa controls
> - *current and estimated student numbers locally, and hence levels of demand in the rental market, as affected by the policies and performance of specific higher education institutions in relation to student recruitment and changes to their profile*
> - *local information on existing and projected change in the supply of institutional and commercial purpose-built accommodation provision for students, and therefore levels of competition*
> - *information about Unipol's operations in the local area, house-hunting patterns among students, rent levels and any forecast fluctuations*
> - *developments in accreditation and the Unipol Code of Standards*
> - *observations on the local student housing market.*
>
> *This valuable incentive provides members with quality commercial intelligence enabling them to make sound decisions on adjusting their business models to fit the market and anticipate new trends.*

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> ### The Leeds Rental Standard: managing licence discounting as an incentive
>
> *In common with other schemes some landlords were joining solely to qualify for the benefit of the discount on licensing fees enjoyed by members. This group of landlords displayed limited commitment to the scheme and its objectives. To combat this, the scheme's Committee of Management made it a condition of eligibility for licence discounts that membership and compliance is kept up, otherwise any discounts recieved would be repayable.*

# PART FOUR: SCHEME INFRASTRUCTURE AND FUNDING

**Making appropriate investment**

Poorly resourced accreditation schemes fail and adequate funding is essential if a scheme is to work and flourish. The good schemes are those which have proper funding for both start-up and continuing operation. It is currently estimated that this works out at around £100,000 for both initiation and annual recurrent funding, although some of this funding can be "funding in kind" such as IT assistance and staffing.[14] For this reason it is important that:

- the business case for an accreditation scheme is made as forcefully and effectively to decision-makers as possible

- the project initiators have a proper understanding of the costs, based on an early financial feasibility study and the experience of other providers

- clarity on funding sources is established early, both for start-up and recurrent purposes. If there is more than one source, the contributing parties must be clear on their own and others' commitments

- responsibility for the provision of infrastructural services and their renewal is established at this stage (eg premises, furniture and equipment)

Start-up funding requirements should be closely tied to the project brief and outline plan. Recurrent and developmental funding needs to be mapped out alongside the scheme business plan. Schemes can come unstuck at any stage if the funding needed for a particular business requirement has not been identified, quantified and budgeted for.

Some accreditation schemes are supported by funding from a specific initiative or by a one-off grant. Once launched, schemes can quickly come to be viewed as a burden. To protect against this eventuality, it is sensible to scope the start-up funding as for the first two years of operation. Schemes should not be dependent on year-on-year funding. Often landlords are asked for a three- to five- year membership commitment, but scheme funders offer funding on only an annual cycle. This is not a viable model and there needs to be some certainty based on a longer funding horizon, which is consistent with members' commitments. Too often schemes wither on the vine because of weak funding models.

<u>Avoiding false economies</u>

Provision for set-up and recurrent costs should be realistic but not, of course, prohibitive. Under-provision for securing and keeping good staff and on investment in information technology is a false economy, which may result in scheme failure. Because schemes are often run by one or two people, giving the right people the right remuneration to do the job well is essential. Sound information technology which does what the scheme operators want it to do is important not just for administrative efficiency, but, often critically, for providing a powerful evidence base of the scheme's success or effectiveness to pitch for funding renewal when that time comes.

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[14] based on figures produced by ANUK and *Landlord accreditation,* prepared for the Greater London Authority by Helen Cope Consulting Ltd with Altair Ltd

Funding sources

Possible sources of finance for accreditation schemes include:

- local authority contributions

- other grants from public and voluntary bodies

- revenue from continuing professional development

- training course fees

- sponsorship

- advertising

- membership fees.

Although, nationally, local authority funding remains significant, often critical, for scheme initiation and continuation, it has become less available since 2008. Scheme operators may therefore need to focus hard on generating funds from other sources. A particularly attractive option is to extend the reach of the scheme across other authorities. As well as achieving major economies of scale, cross-authority consortia find favour with landlords who have portfolios that straddle local government boundaries. For these reasons these wider schemes are a growing feature of the sector.

Care needs to be taken not to overload any particular group of stakeholders to the extent that the scheme is jeopardised:

- where costs are passed on to applicants, these may be prohibitive for would-be members, irrespective of their enthusiasm for an accreditation scheme, and may thereby create inertia in efforts to build membership volume

- where costs are passed on to tenants in rent, the market may become skewed and put under unsustainable pressure

- where costs are borne primarily by scheme funders, realistic budgetary provision may be difficult to secure in straitened times.

It is important therefore to diversify income streams as much as possible and to spread the funding load. Beyond this – to move to a self-funding model – is, however, a step too far. Membership and associated fees may generate useful income, where they are allowed or deemed appropriate, but the level the market can bear is unlikely to yield anything like the full scheme costs. Research conducted for the GLA in 2011 identified a weak appetite for membership fees amongst landlords, concluding that "if these [financial benefits of scheme membership through supplier and local authority discounting] … could be shown to save more than the initial cost of accreditation then landlords have indicated that they might even consider a small annual subscription.[15] Revenue from other scheme activities such as CPD and advertising will not be of the order to support self-funding.

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[15] *Landlord accreditation,* prepared for the Greater London Authority by Helen Cope Consulting Ltd with Altair Ltd, p42

Expectations of schemes being able to cover their own costs are therefore misplaced. Also, given that building membership volume is a key priority (particularly in the early days), levying fees can inhibit growth. Fees may be appropriate for well-established schemes in need of an alternative income stream, but it is worth considering that even in schemes that are free to members, good incentives are generally necessary to elicit interest in joining. (This is because in joining many landlords are calculating the benefits gained in exchange for the big step of making themselves accountable for the quality of their business operation.) If a scheme's financial underpinning is predicated on income from membership fees, this must be properly tested with the relevant landlord community and be set realistically on this basis. Caution should be exercised in the interpretation of positive soundings: there are plenty of examples of high levels of hypothetical support which are not borne out post-launch. The same considerations apply to skills-based schemes and the pricing structure of training provision.

In the seminars convened to support this handbook no examples of genuinely self-funding schemes were produced, with the exception of the Unipol / ANUK schemes for larger student developments. This is, however, not a useful model for replicating elsewhere because its position of strength in levying running costs from members is attributable entirely to the very specific nature and size of the scheme's provider sub-sector. There is evidence to suggest that the schemes which are surviving are the ones that cost more, ie that receive proper recurrent investment.

Fundraising outside public sources is an option worth exploring. For instance scheme operators might be able to secure money from suppliers interested in reaching accredited landlords through:

- sponsorship of events and courses, including course materials where relevant to a supplier
- advertising in newsletters and on websites
- having access to the landlords by getting mailshots delivered through accreditation organisations.

Although it is true that reliance on private fundraising deals can make schemes vulnerable to the vicissitudes in the corporate fortunes and attitudes of donors, this is, in the prevailing climate, at least as true of public sources of funding.

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### UKLAP: website advertising

*The UK Landlord Accreditation Partnership website has been created provide a cost effective means of promotion for all companies with websites in the UK.*

### Why advertise with the UK Landlord Accreditation Partnership?
- *UK Landlord Accreditation Partnership is a pan London partnership of local authorities, university accommodation units, private landlord associations, and partner authorities in Kent, Sussex, Thames Gateway, Hampshire, Midlands, Wales, Surrey Heath, etc.*

- *Target an often difficult-to-reach market (private landlords, letting and managing agents)*

- *Exposure to landlords in all London Local Authorities, Partner Authorities, University Housing and Landlord Associations*

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- *Potential to reach landlords across the UK*

- *Discounts on advertising with UK Landlord Accreditation Partnership*

- *Discounts for UKLAP development and training courses*

- *Opportunity to be promoted locally at local council events, landlord forums landlord conferences and at Landlord and Letting Shows and also by Landlord Associations*

- *Regularly accessed by people wishing to find out about or register for accreditation and/or London and South East Landlords Day*

- *In short, it attracts a lot of visitors all of whom are looking for either, landlords or agents or local authorities related information*

- *Website promoted in all advertising material and on partners websites.*

***Where can landlords advertise?***
- *Website (www.londonlandlords.org.uk)*

- *Quarterly Newsletter (called the London Landlord)*

- *Other ways you can advertise/sponsor.*

*The website displays banner adverts as part of a rotation system and give all adverts even exposure. If you would like to give your advert an increased presence, we can discuss this when you order.*

For schemes that originate outside local government, council support is essential not only for political purposes but also for the provision of services in kind, which can have significant monetary value and help reduce scheme costs (eg professional staff time to support an inspection regime). Where help in kind is secured, the arrangements should be quantified and formalised in order to help protect against its unexpected reduction or withdrawal.

Where the development and running of an accreditation scheme are an add-on to existing staff responsibilities, it is important to provide for activity coding and costing to maintain a real and fair picture of scheme costs.

Those taking forward the idea of an accreditation scheme or seeking to extend funding will need to invest time and effort in seeking to manage the expectations of higher-level strategists and politicians: the returns on an accreditation scheme may only become properly evident after some years of operating, depending on circumstances.

Those responsible for operating and supporting the scheme should consider from an early stage how the scheme is to be carried forward when the initial funding ceases. A continuation strategy must be developed well before initial funding is due to come to an end.

Cost-critical decisions

Many politicians and administrators are unclear what they want out of an accreditation scheme, but whatever they come up with is bound to have major implications for cost. The most cost-critical decisions are about the type, shape and size of the scheme.

*Verification costs*

The form and scale of the verification regime adopted for a scheme will strongly affect running costs. The financial impacts of verification costs need to be properly modelled and assessed at the design stage.

Property inspection

Building a property inspection regime into the scheme will need to be supported by substantial funding. Within this option, the cost will vary depending on whether there is a commitment to inspecting every property or using a sampling approach.

A full inspection model provides the greatest certainty, but it comes at a premium cost. It is therefore often sensible to consider the lowest proportion of properties that can be inspected to achieve good compliance. There are numerous examples of schemes in operation that produce a high level of assurance from a sampling approach. However, when determining what sampling ratio to adopt, it is important that scheme designers have, and use, good local intelligence on the size profile of landlords in the market. If not, the sampling arrangements adopted may work out more expensive than anticipated. For instance, if a scheme uses a ratio of one in every five of a landlord's portfolio to be inspected, and there happens to be a large proportion of landlords in the local market with only one or two properties, a much higher proportion of properties will need to be inspected than the *prima facie* figure of a fifth.

Skills-based schemes

Skills-based schemes are a less expensive option. However, realistic costs should be factored in to support the development and updating of any online training programmes, which can be expensive. Seminars involving attendance in person are important in effective training programmes, but the administrative and physical costs involved can be partly offset by blending them with the cheaper alternative of online delivery methods, including webinars.

Alongside the training itself, verification of training activity by individual accreditees is a major challenge for this type of scheme. Although much can be achieved by setting out reporting requirements on this activity in the terms and conditions of a scheme, many have found that investing in appropriate IT monitoring and tracking systems is necessary to get a full grip on member compliance with scheme requirements, without which a scheme's credibility can be undermined.

Other options

Cheaper alternatives include self-certification by landlords plus random inspection. It is important to recognise, however, that with accreditation and verification arrangements, you get what you pay for. Low-cost, light-touch solutions will yield only limited quality assurance and scheme integrity. Schemes fail for a number of reasons, but weak verification systems are often a leading factor.

Agents

Whether or not managing agents are included in the scheme's coverage will make a substantial difference to overall funding requirements for schemes which rely on sampled property inspections. This is because property verification is naturally organised on the basis of landlords and property ownership and management. The role of managing agents cuts across this model. To deal with managing agents, verification system will need adjusting to ensure that an appropriate (invariably greater) sample of the properties managed by an agent is checked. This, in turn, is complicated by the high turnover characteristic of agents' portfolios. Tracking and adjusting verification and undertaking additional inspections can be labour-intensive and costly.

Complaints systems

While it is important to have a thoroughgoing complaints system, properly supported by robust governance arrangements, frequent use of formal processes requiring a quasi-judicial body to be convened is expensive. For this reason (and others), it is vital to weight the complaints system to provide for and encourage the resolution of disputes at a pre-formal stage.

Providing incentives to members

Providing incentives that landlords value is often a key driver for building membership volume. However, scheme operators should be wary of devising expensive incentives and try to focus on cost-free or low-cost benefits. These are likely to be most readily attainable from across local authority services. For this reason (and others), it is important from the outset to ensure the scheme's interconnectedness with local authority services and their policy objectives.

# CHAPTER 17: INFRASTRUCTURE AND STAFFING

**Governance arrangements and legal status**

It is essential that accreditation schemes are supported by appropriate governance arrangements. The depth and shape of these arrangements will vary according to the status of the scheme, whether it is stand-alone or whether it forms part of a wider organisation. A stand-alone scheme will require more substantial governance machinery as it cannot rely on pre-existing arrangements within a wider organisation.

Governance is concerned with the distribution and control of formal authority in an organisation and the established processes for exercising authority and making and implementing decisions. Good governance is about the effective and responsible leadership, oversight and management of an organisation. Governance activity should not be viewed as a 'necessary evil' or an unavoidable overhead. Beyond legal compliance, the value of good governance for an organisation and its stakeholders relates to:

- improved effectiveness and efficiency, especially in strategic decision-making, internal control and risk management
- the promotion of probity, equity, transparency and accountability
- the provision of a reliable evidence base / audit trail that demonstrates these attributes
- greater stakeholder and consumer confidence.

An accreditation scheme will require a steering group or managing committee (or more formal board, where the scheme has legal personality in its own right, as well as a finance committee and audit committee). It should be formally constituted and have:

- a codified membership profile (with specified constituencies represented)
- terms of reference, setting out the scope and extent of the body's powers
- standing orders including rules on
  - quoracy
  - the appointment of a Chair
  - Chair's action
  - (minimum) meeting frequency
  - the conduct of meetings
  - delegation of powers.

As noted earlier, the steering group or management committee may emerge naturally out of the project board established to lead scheme start-up. If it does, it is likely to need a greater degree of formalisation than the project board (as above), so review of its constitution and arrangements should be undertaken around the time of the scheme launch.

In setting the terms of reference for the managing committee, scheme developers will need to provide clear demarcation of the manager's and the committee's roles and authority. The managing committee will also need to rely on other internally constituted bodies to discharge specific functions, eg a complaints tribunal and a sub-committee to handle significant issues that arise with some frequency, such as contentious membership applications. There will need to be clear separation of powers between these bodies and clear referral routes operating to a clear hierarchy of authority. As well as providing a framework for the proper sharing of scheme business, this will ensure scope for complaints and other serious issues to be considered in more than one forum.

As well as making sure that effective governance arrangements are in place internally, it is important that relationships with partner organisations and with agencies who undertake work for, or in cooperation with, the scheme are properly codified (eg, through service level agreements, contracts for services and memoranda of understanding). This matters because it gives assurance to the stability of the scheme's operations. It can also be important to provide a sound legal or regulatory basis to activities involving personal information sharing across organisations ('data controllers').

Governance issues can be time-consuming, but it is important to get them right. It is though equally important to take a balanced and pragmatic approach: for a relatively small operation such as an accreditation scheme, governance needs to be adequate for the purposes of the scheme, and no more. Elaborate arrangements will add little to the integrity of the scheme and public confidence in it as long as the basic requirements are met; in fact, they are likely to detract from its effectiveness as they can divert valuable resource with minimal return.

For stand-alone schemes it is important there is clarity about the status of the organisation and the legal framework within which it operates, because, without it, the enterprise will be vulnerable to risks relating to legal compliance (eg with charity and company law) and to confusion on the legitimate basis of any data sharing activity. As a default position it is possible that the organisation will be treated at law as an unincorporated association, ie it has no legal personality and members or officers acting on the organisation's behalf expose themselves to significant personal liabilities.

**Staffing**

The right staff

Having the right staff in post is essential to the success of an accreditation scheme. Before scheme overseers appoint or assign staff to manage and administer a scheme, it is important they achieve proper clarity about the nature of the roles.

Building and running an accreditation scheme requires the ability to:

- work in collaboration with landlords and to generate enthusiasm amongst them and others
- generate, mobilise and manage resources, often from diverse sources
- deal confidently with local policy-makers and other stakeholders operating at a senior level in a range of often complex partner organisations, not least departments within the local authority
- work effectively to maintain the engagement of partners and sponsors, as well as landlords and tenants

- put in place and run robust administrative and IT support systems to support the scheme
- promote the scheme and build the brand energetically
- show imagination in developing the scheme and its membership incentives.

These skills are very different from those required in a statutory scheme or in enforcement action. Scheme developers should be wary of over-reliance on staff used to dealing with landlords through the use of statutory powers. Importing staff from this background, without in-depth training, is likely to reproduce a culture of statutory enforcement, inappropriate to a voluntary accreditation scheme.

Too many existing schemes, in staffing terms, operate on a shoestring. This is particularly true of schemes run from within local authority departments. Developing a new scheme takes time and energy and cannot readily be fitted into the gaps between other duties. If it is, the scheme will be in danger of losing momentum when other tasks, of higher priority for the wider organisation, get in the way. If this happens, external partners will take away the message that the organisation is not sufficiently committed to the scheme.

Enough staff

Most accreditation schemes rely on a few staff only; many are run by a single officer who also has other duties. It is often difficult to secure resources for accreditation as it is not a statutory function, but, if a scheme goes ahead, it is vital that sufficient staff resources are provided to ensure that it can be run effectively. It is a waste of resources to under-staff a scheme. More resources will be required in the development, launch and early recruitment stages of a scheme to develop materials and procedures and to give it a good start. As things become more routine, fewer resources may be required. But if a scheme expands successfully, staffing levels must be reviewed to ensure they are adequate.

Training

The training needs of the post-holder will depend upon their previous experience and qualifications. They should have a good working knowledge of landlord and tenant law, a knowledge of the workings of the other departments of the authority with which they will have to deal, and some practical knowledge of housing management and housing fitness.

> *Leeds: training other staff involved in accreditation*
>
> *In Leeds, a large number of front-line staff visiting properties in relation to complaints, grant enquiries or for other purposes were expected to play a role in accreditation through checking standards, and more positively, by drawing the attention of landlords to the scheme. Training to reorientate these staff to the need to sell the accreditation scheme to landlords and to rely on persuasion rather than powers to require compliance with legislation, was recognised as a priority in the authority.*

Local authority schemes: place in the structure

An accreditation scheme touches on the responsibilities of several departments of a local authority, so there are several potential locations for the administration of a scheme organised and run from within the council. In most authorities the initiative has developed within the environmental health housing function, close to those responsible for private sector housing

conditions, grant provision and enforcement. In a few cases, responsibility is located within a housing department and is associated with housing advice, tenant liaison and related functions. The choice depends on the structure of each local authority, where the enthusiasm to develop a scheme is coming from, and other factors such as the calibre of the staff involved and their management and support arrangements. Where a scheme is located within a section dealing with housing conditions, it is important to ensure that management issues are not neglected, and likewise, that a scheme run by housing advice does not downplay physical condition issues.

**Management and support arrangements**

The work of running an accreditation scheme can be stressful and post-holders may find themselves exposed to conflicting expectations within their own organisation and with partner agencies.

For managers of stand-alone schemes, it is important that they enjoy the support of their management committee and of senior staff in any partner organisations. For scheme managers operating within a local authority environment, it is likely they will be a middle-ranking or more junior member of staff and will sometimes need strong and consistent support from senior management to ensure they can deliver scheme objectives. It is vital that the operation of the scheme is well linked into the structures of the host department and that consistent support is provided.

Administrative support

As well as the time of a responsible officer or team to run the scheme, administrative backup will be required, both prior to launch to assist with publicity and recruitment, and on a continuing basis to keep the scheme going and to keep records up to date. As funding for accreditation is difficult to come by, there is a temptation to save money by reducing the amount of administrative support provided. This is a false economy as it absorbs time more fruitfully used in operating and promoting the scheme.

IT systems support

As noted in Chapter 16, proper investment in IT systems support is not a luxury or an optional extra. Such systems do not merely free up staff time; they are an integral part of the scheme's administration. It may be tempting in the early days, when membership is low and data management requirements are limited, to make do with a minimalist IT set-up. Skimping on IT support is a false economy that will compromise the effective running of the operation or could even sink a scheme. It is important, therefore, to have developed early on a clear plan for IT support requirements, based on clearly mapped-out business processes, and to have implemented and tested this pre-launch. The business processes requiring database / systems support are likely to include some or all of the following:

- online applications
- maintaining records of accredited properties and a register of members and their details
- maintaining records on fees
- accredited property search facility
- for property-based schemes, maintaining inspection information, including compliance work undertaken and improvements made to properties
- for skills-based schemes, maintaining information on foundation training and CPD (including, possibly, a facility for members to upload updates to their CPD)

- providing online training programmes or modules
- maintaining information about complaints and tribunal cases
- supporting mailshots and other communication with members and wider stakeholders

There needs to be clarity on what managers want to do with information held on scheme databases. The determination of what type of database (eg flat-file, hierarchical, relational, object-oriented) is set up and what shape it is given should be driven by business and user requirements. This is a technical area, requiring professional input, but scheme managers should be primary players in the set-up project and should keep centre-stage what they want out of the database. Beyond merely holding the data, typical needs include being able to manipulate and analyse data and to produce reports.

Depending on the scheme, it may also be necessary to interface with other systems (for instance with one or more local authorities (eg to support an inspection programme or co-administered complaints process).

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### DASH: supporting database

*The infrastructure of an accreditation scheme needs to be able to cope with the growth of a scheme and in 2013 DASH had to invest in better IT.  It now has the benefit of a database which supports the running of the scheme, creates reports and allows scheme administrators to keep track of a list of seven common hazards that scheme interventions often remove or reduce. This data gives the scheme manager valuable insight and provides a sound evidence base to help justify the scheme formally, when necessary.*

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Formal documentation

As in all organisations, formal documentation underpins the business activity of the scheme. This will include some or all of:

*Strategy and operation*

- formal planning documents (including, possibly, a mission statement)
- application and declaration pro formas for membership (see Appendix A)
- membership fee structure
- terms and conditions of membership
- scheme standards / code of conduct / practice (property inspection based – see Appendix B; skills-based – see Appendix C)
- certificates of accreditation
- passporting protocols

Governance and regulation

- management committee terms of reference and membership profile plus standing orders (see Appendix D)
- data protection privacy notice (Appendix E)
- data sharing protocols (Appendix F)

- risk register
- rules governing the use of the scheme name and logo
- a complaint procedure (including constitutional arrangements for a tribunal body) (Appendix G)
- documents supporting the establishment and running of a landlord forum
- recognition agreements with other schemes
- memoranda of understanding / cooperation for partners operating a scheme
- formal agreements on any services in kind provided by partner organisations
- legal disclaimer on the status of verification
- legal disclaimer on any trade suppliers providing discounted goods or services for scheme members

Quality assurance

- verification protocols (including inspections and skills acquisition)
- inspection report formats
- inspection checklists (see Appendix H)
- fit-and-proper person test documentation (requirements, declaration pro forma – see Appendix A, disclaimer)
- rules governing the number / proportion of an organisation's staff / managers who require training before the organisation is accredited)
- protocols for external CPD trainers
- documentation on the accreditation of external training modules / programmes
- a good landlord guide
- scheme manager job description

# Appendix A

| BARNSLEY ACCREDITATION SCHEME |
| --- |
| *'Improving Private Rented Homes'* <br> **Landlord Membership Application Form** <br><br> **(Please complete all sections of the form)** |

| YOUR DETAILS | | | |
| --- | --- | --- | --- |
| Full name, including title | | | |
| Trading as (where applicable) | | | |
| Address for correspondence | | | |
| Post code | | | |
| Contact telephone(s) | | | |
| Mobile telephone number | | | |
| Email address | | | |
| Date of birth | | | |
| What is your preferred method of communication? | Email (please tick) | Post (please tick) | Tel call (please tick) |

| DETAILS OF ANY OTHER JOINT OWNERS OR MANAGING AGENTS | | | |
| --- | --- | --- | --- |
| Agent or joint owner? | | | |
| Role of agent? | | | |
| Full name | | | |
| Trading as Address for correspondence | | | |
| Post code | | | |
| Contact telephone(s) | | | |
| Mobile telephone number | | | |
| Email address | | | |
| Date of birth | | | |
| What is your preferred method of communication? | Email (please tick) | Post (please tick) | Tel call (please tick) |
| Date of birth (joint owner) | | | |
| Do you require us to deal directly with you, your agent (if applicable) or both? Please state here: | | | |

**Landlords:** please list below the properties within your portfolio. Please indicate which of these properties you would like to register for accreditation status, following successful acceptance onto the scheme.

| | Property address | Number of bedrooms | Number of storeys excluding cellars used for storage | Type of property (please insert relevant code from next page) | Number of letting units* | If applicable have you applied for an HMO licence with the Council? | I would consider registering this property for accreditation status |
|---|---|---|---|---|---|---|---|
| 1 | | | | | | Y/N | Y/N |
| 2 | | | | | | Y/N | Y/N |
| 3 | | | | | | Y/N | Y/N |
| 4 | | | | | | Y/N | Y/N |
| 5 | | | | | | Y/N | Y/N |
| 6 | | | | | | Y/N | Y/N |
| 7 | | | | | | Y/N | Y/N |
| 8 | | | | | | Y/N | Y/N |
| 9 | | | | | | Y/N | Y/N |
| 10 | | | | | | Y/N | Y/N |

**\*** The number of unrelated people sharing the property i.e. students or professionals.

**Property Type Codes:**

| Property type codes | Description |
|---|---|
| H | House (let as a single letting including shared student house or to a family) |
| F | Flat above a shop |
| SC | Purpose-built, self-contained flats / apartments |
| HMO | A dwelling will be an HMO if three or more unrelated people are sharing it |
| ML HMO | Dwelling with five or more individuals on three storeys or more, which falls under mandatory licensing |
| R | Accommodation or lodgings with resident landlords |
| O | Other – please describe |

**PLEASE NOTE:** Properties which are occupied on 3 or more stories by 5 or more occupants may require a 'House in Multiple Occupation' (HMO) licence. For further information please contact Regulatory Services [CONTACT DETAILS]

## FIT & PROPER PERSON CHECK

**Note:** If any of the issues detailed, under the fit and proper person declaration, cannot be satisfied, please return this form and provide brief information about any relevant issues over the page. We will contact you to discuss your application. **The existence of such an issue may not necessarily prevent you becoming accredited.** The Council may carry out the further legal checks on applicants, as deemed necessary.

**1: I declare that I am a fit and proper person to be accredited in that neither I, nor any person associated or formerly associated with me, have any unspent convictions that are relevant to my application and in particular:**
a. any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
b. any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; and
c. contravention of any provision of the law relating to housing or of landlord and tenant law; (including any civil proceedings that you have lost).
**2: And that during the last 5 years neither I, nor any person associated or formerly associated with me, have:**
a. been in control of any property subject to a control order under S379 of the Housing Act 1985;
b. been refused a licence or had a licence removed for any property in relation to HMO, additional or selective licensing under the Housing Act 2004;
c. been found to have breached a condition on a licence for any property in relation to HMO, additional or selective licensing under the Housing Act 2004;
d. been found by a local authority to have acted otherwise than in accordance with any Code of Practice approved under Section 233 of the Housing Act 2004;
e. been in control of any property that has been the subject of any proceedings by a local authority (such as breaches of the Environmental Protection Act, planning control of compulsory purchase proceedings.);
f. been in control of any property on which the local authority has carried out work in default; or
g. been in control of any property, which has been the subject of an interim or final management order or a special interim management order under the Housing Act 2004.

## ADDITIONAL INFORMATION

**Please supply all relevant information. If this section is not applicable, then please state N/A.**

## MANAGEMENT STANDARDS CHECKLIST

Please tick all the items below which you declare you provide. BMBC reserves the right to request evidence of any of these items at any time during your membership:

| Landlord | Tick |
|---|---|
| Written tenancy agreements | |
| Individual property information packs | |
| Provision of emergency contact numbers | |
| Written inventories pre and post tenancy | |
| Use of a tenancy deposit scheme | |
| Have a written complaints policy and procedures | |

## MEMBERSHIP OF PROFESSIONAL ORGANISATIONS

Please supply details of membership held with any relevant professional organisations:

| | |
|---|---|
| **Name of Professional Organisation** | |
| **Membership Number** | |
| **Start Date** | |
| **Expiry date** | |

(Please continue on a separate sheet if necessary)

## APPLICANT DECLARATION

**I/we declare that as a member(s) of the Barnsley Accreditation Scheme that I/we agree I/we:**

- have read and understood the contents of the Barnsley Accreditation Scheme Information pack, and will abide by all the requirements of the Scheme
- will not conduct our business in such a way which could bring the Barnsley Accreditation Scheme or BMBC into disrepute
- will recognise the authority of the Assistant Director for Strategic Housing, if a dispute occurs
- understand that accreditation status can be suspended or removed, following breaches of the requirements of the Barnsley Accreditation Scheme
- will be committed to partnership working
- will provide evidence of competent management practices
- will participate in the Barnsley Accredited Tenant Scheme
- will provide BMBC with details of my/our property portfolio, both owned or managed by me/us, indicating those which are licensable and non-licensable Houses in Multiple Occupation (HMOs), and those which I/we would like to consider registering for accreditation status, to be updated as applicable
- agree to renew my/our membership of the Barnsley Accreditation Scheme every three years, should we wish to continue my/our membership
- will provide access to properties for BMBC or its agents to carry out property inspections
- will ensure that my/our properties and properties managed by me/us meet the relevant standards of the Barnsley Accreditation Scheme, or are working towards meeting the standards, as far as is reasonably practicable
- will work towards ensuring that as far as is reasonable practicable that none of my/our properties have category 1 hazards, as defined by the Housing Health and Safety Rating System
- will treat all tenants and potential tenants equally and fairly regardless of race, gender, disability, age, religion or sexual orientation
- will undertake 'Property Upgrade Plan' works in a reasonable timescale, as agreed with the Accreditation Officer
- give BMBC consent to carry out the necessary checks to ensure I/we are suitable to become members of the Barnsley Accreditation Scheme
- agree for my/our accredited properties to be subject to random compliance inspections, and to accompany the Accreditation Officer on these inspections, where possible
- will advise BMBC if a contract ends between myself/ourselves and a managing agent (accredited or otherwise) in respect of any of my/our properties
- consent to the information submitted in this application to be stored on a BMBC database (BMBC adhere to Data Protection principles)

I am / we are happy for our contact details to be advertised publicly on the BMBC website for promotional purposes (please tick):

I am / we are happy for our contact details to be advertised publicly on the BMBC website for promotional purposes (please tick): Yes _ No _
How many copies of the 'Tenants Information' Packs do you need? _

**I/we declare that to the best of my/our knowledge all the information provided
in this application is correct. I/we understand that the provision of any false information will render this application/membership status null and void.**

| Signed | |
|---|---|
| **Print name** | |
| **Trading as / company (where applicable)** | |
| **Date** | |

| Signed | |
|---|---|
| **Print name** | |
| **Trading as / company (where applicable)** | |
| **Date** | |

| Signed | |
|---|---|
| **Print name** | |
| **Trading as / company (where applicable)** | |
| **Date** | |

**Please supply a passport sized photo of yourself. This will be used on your membership card. You can either attach a photo to this application, or email a photo to [WEB ADDRESS] , clearly stating your name and contact details.**

Attach your
photo here

Thank you for filling in this application form. You will be notified in writing regarding the outcome of your application.

**Please send your completed application to:**

[ADDRESS DETAILS]

**Equality Profile Questions:**

The Council is committed to ensuring that all its services are delivered fairly. We are therefore asking you the following questions about yourself so that we can make sure that our services are delivered fairly to everyone. The information you

provide will be kept confidential. These questions are voluntary, and should you prefer to not answer them, this will not affect your application.

| Gender | | | | | |
|--------|------|--|--------|--|--|
| **Are you?** | | | | | |
| | **Male** | | **Female** | | |

| Age | | or | | | |
|-----|-------|----|---------------|--|-------|
| **What is your age?** | | **What is your age?** | | | |
| | | | | | |
| | Years | | 0-15 | | 51-60 |
| | | | 16-20 | | 61-70 |
| | | | 21-30 | | 71-80 |
| | | | 31-40 | | 80+ |
| | | | 41-50 | | |

| Disability | |
|------------|--|
| **Are you disabled?** | |
| (A disabled person can be someone with a physical or sensory impairment, learning difficulties, mental health problems or a long term or progressive medical condition.) | |
| | **Yes** | | **No** | | |

| Ethnicity | | | |
|-----------|--|--|--|
| **What is your ethnic origin?** (please tick one only) | | | |
| | | | |
| **White** | | British | |
| | | Irish | |
| | | European | |
| | | Gipsy / Traveller | |
| | | Other – please state: | |
| | | | |
| **Mixed** | | White & Black Caribbean | |
| | | White & Black African | |
| | | White & Asian | |
| | | Other – please state: | |
| | | | |
| **Black or Black British** | | Caribbean | |
| | | African | |
| | | Please state: | |
| | | | |
| **Asian or Asian British** | | Indian | |
| | | Pakistani | |
| | | Bangladeshi | |
| | | Other – please state: | |
| | | | |
| **Chinese or other ethnic group** | | Chinese | |
| | | Other – please state: | |

**Language and Disability Access Needs:**

Services may wish to monitor the access needs of disabled customers. However services should make sure they know how to respond to any request made to this question. A suggested question they could use is:

| Access needs | |
|---|---|
| **Do you have any of the following language or disability access needs?** | |
| (Please tick all that apply) | |
| | Information in large print |
| | Information in Easy Read (simple words and pictures) |
| | Information in Braille |
| | Sign language interpretation |
| | Information other format eg. audio tape, electronic etc |
| | please state |
| | Information in another language |
| | please state |

**Where did you hear about the Barnsley Accreditation Scheme?**

| | **Tick all that apply** |
|---|---|
| Local Press | |
| Word of mouth | |
| Local Landlord Association | |
| BMBC Website | |
| Correspondence from BMBC | |
| BMBC Council Website | |
| Other BMBC department | |
| Other – please state | |

**Unipol Leeds Code for Shared Student Housing 2015 - 2018**

**Equality and Diversity**
*Owners will ensure that:*

1.00 In the provision and letting of housing or associated services and in the letting of contracts for services, no person or group of persons applying will be treated less favourably than any other person or group of persons because of their race, colour, ethnic or national origin, gender, disability, appearance, marital status, sexual orientation or social status.

**Marketing Prior to Letting Property to Tenants**
*Owners will ensure that:*

2.00 All property details are reported accurately without misrepresentation to prospective tenants;

2.01 If 'To Let' boards are used when advertising a property/ies, then they should comply with Leeds City Council's Code relating to these boards;

2.02 All prospective tenants are granted an opportunity to view the property, having due regard to the rights of existing tenants;

2.03 Interested parties are provided with a copy of any contractual terms under which a property is offered, such terms to include details of any fees payable in addition to rent and any arrangements involving tenants' guarantors. Interested parties are, when specifically requested, permitted not less than 24 hours within which to seek independent advice regarding those contractual terms, during which time the property will not be re-marketed;

2.04 No monies for deposits or rent are demanded prior to entering into either a written agreement to rent the property or the letting agreement;

2.05 A full set of agreement/s are issued to the tenant/s at the grant of the tenancy written in type size of not less than 8 point containing no contractual terms in conflict with any statutory or common law entitlement of the tenant or the terms of this Code;

2.06 It may be useful for owners to make use of the relevant Unipol model tenancy Agreement;

2.07 Landlords will abide by the UK Advertising Codes as set by the Advertising Standards Agency, and by all its regulatory mechanisms

2.08 Where a landlord / agent charges administration/signing fees, they make it clear to the potential tenants in writing what the charges are, and what they are for

2.09 If a fee to hold a property for the tenants is charged, that it is agreed in writing how much these are, how long the property will be held for, and the terms under which the monies will be refunded

Rent Liability
2.07 Prospective tenants are issued with a clear statement of the rent due to be paid, including the dates, amounts and method of payments due to be made during the contract;

Water Charges
2.08 The owner clarifies whether s/he retains responsibility for payment of water charges, utility charges and Council Tax, or whether these charges fall to the tenants to pay and that this division of responsibility is accurately reflected in the terms of the letting agreement;

Utility Charges (Gas Electricity and Telephone)
2.09 Where any service charges are levied by the owner, that such services and charges are properly specified and detailed in the letting contract. Where tenants are responsible for energy charges they must have reasonable access to any meters that record their energy usage. From 1 January 2017 where energy use is anything other than nominal (currently £150 per annum) each bedsit/flat/house must have its own energy meter supplied. Where an energy inclusive rent is charged this is not required.

2.10 Written receipts are issued, where requested by a tenant or future tenant, for all monies demanded whether for rent, deposit (in accordance with the requirements of the relevant deposit protection scheme), utility or service charges. Where transactions are undertaken in cash a written receipt will always be provided by the owner;

Identity and Address
2.11 The name and current registered address of the property, owner/ or the manager of the property is stated on the agreement, together with the address and telephone number/s of any managing agent or organisation stated. The name and current address of both the property owner and the manager of the property (where both are applicable) will be provided to Unipol on request;

State of Repair and Refurbishments
2.12 At the commencement of the tenancy, or other date mutually agreed with the tenants all obligations on the part of the owner in regard to the repairs and property maintenance and improvements to the property have been fully discharged;

2.13 Where a property is undergoing refurbishment and the building programme is running late, and where this may result in the property not being ready for occupancy, in the event that this is not covered by an agreement the landlord/agent shall inform the future tenants, in writing, at the earliest possibility of this likelihood and its consequences for them;

2.14 In the event that following the commencement of a tenancy a property or room/s is/ are not ready for occupation ("not ready" to be interpreted as where the property room/s cannot be used for their intended purpose) on the date that the tenancy begins, then suitable alternative accommodation will be provided by the owner if required by the tenant (in the event that this is not covered by an agreement) and no rent will be payable for the property room/s that are unusable during that period. Alternative accommodation provided within the same property is acceptable. A kitchen that is unusable would count as a 50% rent reduction on the property rent, as would a sole bathroom;

2.15 In the event that the tenant has agreed that the landlord can undertake works within an agreed timescale, where such works render part of the property or room/s unoccupiable during the tenancy this must be agreed in writing. In the absence of any such agreement, and a complaint being made by a tenant, this would be interpreted to mean that consent had not been given. In the event that there is a designated 'lead tenant' within the property and they had provided written consent, then this would mean all the tenants had given consent;

Marketing the Property as Part of the Unipol Code

2.16 In marketing a property owners should use the phrase "Unipol Code" or "Unipol Code Owner" or "Member of the Unipol Code" to describe themselves, and "Unipol Code Property" or "Property meets the Unipol Code" to describe a property;

2.17 Owners may use the Unipol Code logo (either as a landlord/agent supplier or for the property/ies to which they relate) in promotional materials, and electronic versions of these logos can be supplied. It is not possible to use the Unipol logo, which is for Unipol's exclusive use only.

Cleaning
2.18 At the start of the tenancy the landlord will ensure the property is clean. Where this has not been achieved and there is a material effect on the comfort and convenience of the tenants, the landlord will inform the tenants of the timescales in which the property will be cleaned; it is expected that these timescales will reflect a Priority 2 Urgent response, within 5 working days.


**During the Tenancy**
*Owners will ensure that:*

HMO Licensing
3.00 Where HMO mandatory licensing applies (under Part ll of the Housing Act 2004), they have a current HMO licence, or have made application for an HMO licence, and that those properties meet or will comply with license conditions within timescales specified on each licence.

All non- licensable properties should meet with the relevant Local Authority's Advisory Standards or should comply with any timescale agreed with the council. Full details of LCC's Advisory Standards are available from their website - www.leeds.gov.uk (type HMO into the search box) or landlords can phone 0113 2477594;

Overcrowding
3.01 Properties are not knowingly overcrowded;

Ensuring Possession
3.02 All statutory notices seeking possession are served on incumbent tenants in order to mitigate any delay and hardship caused to the owner and incoming tenants that may be caused where existing tenants refuse to give up possession at the end of their contractual tenancy;

Informing Tenants of the Unipol Code
3.03 A copy of the Unipol Code will be made available to all tenants. This can be done through a link on the owners' website, by giving the tenant information about where the Unipol Code is on Unipol's website or a paper copy of the Unipol Code can be given to the tenant/s. Any web links must display the Unipol Code logo in a clear manner. Unipol will make available, free of charge to Code members: an A5 leaflet informing tenants where the Unipol Code is displayed on Unipol's website and
copies of the full Unipol Code for each property;

First Refusal
3.04 Subject to reasonable performance by tenants of their obligations under the terms of their existing tenancy, the incumbent tenant/s are offered first refusal for any
subsequent letting of the property;

Access
3.05 Where access is required for routine inspection/s, the tenants must be notified - within not less than 24 hours - of the date and purpose of the visit, as well as the possible time spans within which the visit will take place, except in the case of any emergency or if shorter prior permission has been given by the tenant/s, and that tenant privacy and entitlement to freedom from unnecessary intrusion is respected;

3.06 Business is pursued by him/her in a professional, courteous and diligent manner at all times;

3.07 Landlords/agents are required to conduct a visit to their properties at least once every 3 months;

Repairs and Maintenance
3.08 All properties are maintained in a satisfactory state of repair and in full compliance with the provisions of section 11 of the Landlord and Tenant Act 1984;

3.09 Under normal circumstances the following repairs completion performance standards should be achieved -
Priority One – Emergency Repairs: Any repairs required in order to avoid a danger to health, risk to the safety and security of residents or serious damage to buildings or residents' belongings. Within 24 hours of report of the defect/s.
Priority Two – Urgent Repairs: Repairs to defects which materially affect the comfort or convenience of the residents. Within five working days of report of the defect/s.
Priority Three – Non Urgent day-to-day repairs: Reactive repairs not falling within the above categories. Within 28 days of report of the defect/s or by arrangements with the occupiers after that time. Decorative finishes to be made good within reasonable timescales if damaged or disturbed during repairs;

3.10 Tenants are provided with a point of contact in case of emergencies;

Planned Programmes of Repair/Improvement and Cyclical Repairs Programmes
3.11 Maintenance and servicing tasks which can be carried out in a planned and cyclical manner such as gas appliance servicing, electrical inspections and related works, fire detection and equipment servicing, gutter and window cleaning, exterior and interior painting are carried out with due regard to the convenience of occupants;

3.12 Where a dispute occurs between the owner and tenant/s as to when a repair has been reported then the date on which the repair was reported to the owner in writing shall be the accepted date;

3.13 Where reasonable and practical, to provide notification to occupants prior to attendance by contractors to undertake repairs;

3.14 That contractors and trades persons will remove all redundant components and debris from site on completion of works in a reasonable time and will behave in a professional and courteous manner at all times;

Furniture and Storage Space
3.15 All study bedrooms contain a bed, adequate clothes storage space, a desk, chair and curtains/blinds which are properly hung/fitted;

3.16 All furnishings and furniture are clean and in reasonable condition at the commencement of the tenancy and comply, as appropriate, with the Furniture and Furnishings (Fire) (Safety) Regulations 1988;

Kitchen Facilities
3.17 Kitchens should meet with the Local Authority's advisory standards, especially in respect of the provision of cooking facilities, sinks, electrical sockets, worktops and cupboards. Full details can be found by visiting www.leeds.gov.uk

Toilet and Personal Washing Facilities

3.18 Where amenities are shared an adequate number of suitably located baths and/or showers and wash hand basins are provided, with constant hot and cold running water supplies and in a ratio of amenities to occupants that does not exceed 1:5;

3.19 Where amenities are shared, an adequate number of suitably located WC's are provided and in a ratio of amenities to occupants that does not exceed 1:5;

3.20 Where there are up to four occupants sharing facilities, the WC may be located within the bathroom. Where five or more occupants are sharing, a WC must be located separate from the bathroom for every five occupants, however where a WC is located within an additional bathroom this will be satisfactory as a 'separate WC', provided that the bathroom is shared by no more than four people;

| No. of Occupiers | No. of Separate WCs | No. of Bathrooms with WC |
|---|---|---|
| Up to 4 | 0 | 1 |
| 5 | 1 | 1 |
| 6 | 0 | 2 |
| 7 | 0 | 2 |
| 8 | 0 | 2 |
| 9 | 1 | 2 |
| 10 | 1 | 2 |
| 11 | 0 | 3 |
| 12 | 0 | 3 |
| 13 | 0 | 3 |
| 14 | 0 | 3 |
| 15 | 0 | 3 |

NB: The above are the minimum amenity standards required by Leeds City Council for HMOs

3.21 Where a WC is located in a separate compartment then a wash hand basin, with hot and cold running water, should also be provided within the same compartment;

3.22 Properties should meet this standard for sections 3.17, 3.18, 3.19 and 3.20 for all tenancies;

3.23 Where a shower/s is/are provided, they will be fitted with a waterproof surround and a screen (which could be a curtain). Where a shower is provided a suitable electrically operated extractor fan shall be fitted in accordance with Building Regulations.


**Health and Safety**
*Owners will ensure that:*

Housing Health and Safety Rating System
4.00 The property and boundary is maintained, as reasonably practicable, free of any avoidable or unnecessary hazards as defined in the Housing Health & Safety Rating System (see schedule attached to the Unipol Code). Particular attention should be paid to hazards such as: excess cold, damp and mould, noise, falls on stairs or between levels, fire and entry by intruders. Landlords who wish to conduct risk assessments on their own properties can download a guide from Leeds City Council's website www.leeds.gov.uk;

Gas Appliances and Supply
4.01 All means of use and supply of mains gas, and alterations and repairs to gas installations, shall comply with the current Gas Safety (Installation and Use)

Regulations;

4.02 All gas appliances will be serviced annually by an engineer endorsed by Gas Safe Register. Verification of the gas safety check will be provided to all new tenants at the start of the tenancy, and copies of the gas safety check record for any subsequent safety checks undertaken during the period of the tenancy will be supplied to tenants within 28 days of that safety check being conducted;

4.03 All repairs to gas supply pipe work and appliances will be carried out by a Gas Safe registered engineer;

4.04 All properties comply with the Smoke and Carbon Monoxide Alarm Regulations 2015. Where a working gas fire is situated in a bedroom, or solid fuel combustion appliances are used in other living accommodation, a carbon monoxide (CO) detector conforming to BSEN50291 should be fitted in each affected room;

4.05 Clear written instructions for the safe use of all central heating and hot water systems will be given;

Liquefied Gas/Paraffin Heaters and Appliances
4.06 No form of bottled gas or paraffin heaters will be provided by the owner or tenants as a heating source;

Electrical Installations and Appliances
4.07 All electrical installations provided by the owner are certified as safe by a professionally competent electrician, preferably one that is registered with NICEIC – A 'competent person' is a person/firm that has been approved by a government-approved scheme as sufficiently competent to self-certify that its work complies with the Building Regulations Part P (Design and Installation of Electrical Installations) and is designed, installed, inspected and tested to the standard required by BS7671 in accordance with the current relevant Electrical Regulations - A document of verification shall be obtained for a maximum of five years (or as stated on the current relevant paperwork, i.e. a shorter time period) showing the electrical wiring of properties is in a safe and satisfactory condition;

4.08 All improvements to electrical installations comply with the current Institute of Electrical Engineers Wiring Regulations;

4.09 All components used in electrical wiring installations and repairs comply with the International Standard, and all appliances will be installed in accordance with manufacturers' instructions;

4.10 All electrical appliances provided by the owner are functioning in accordance with manufacturers' operational limits and are capable of being operated in a safe manner. Appliances are regularly visually inspected for wear and tear and any defects remedied;

4.11 Residual current device (RCD) protection should be provided to all consumer units;

4.12 An emergency light should be installed next to any consumer unit located in a cellar;

4.13 Instructions for the safe use of all electrical appliances (including cookers, space and water heaters, fridges and freezers) will be given on request. Useful information from the Electrical Safety Council can be found at www.electricalsafetyfirst.org.uk/guides-and-advice/

Fire Detection and Alarm Systems

The following standards apply to shared properties according to the number of storeys and tenants – this information is supplied in grid format at the end of the document:

4.14 Single household and/or two unrelated persons (with up to 4 storeys) - 30 min fire door/s are required in the kitchen (with an effective overhead hydraulic self-closer and with intumescent strips and cold smoke seals); plus an LD3 Grade D AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, basements, corridors and lobbies that form part of the escape route), as a minimum;

4.15 Shared HMOs (with up to 4 storeys and 4 tenants) - 30 min fire door/s are required in the kitchen (with an effective overhead hydraulic self-closer and with intumescent strips and cold smoke seals) and on the living room (with no need for a self-closer) ; plus an LD3+ Grade D AFD system, which means fitting smoke detection and sounders in living rooms, basements and on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route)and interlinked heat detection in the kitchen, as a minimum.

Shared HMOs (with up to 2 storeys and 5 or more tenants) - 30 min fire door/s are required in the kitchen (with an effective overhead hydraulic self-closer and with intumescent strips and cold smoke seals) and on the living room (with no need for a self-closer) ; plus an LD3+ Grade D AFD system, which means fitting smoke detection and sounders in living rooms, basements and on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route)and interlinked heat detection in the kitchen, as a minimum.

Shared HMOs (with 3 and 4 storeys and 5 or more tenants) - a 30 minute protected route of escape with all habitable rooms, living rooms and kitchens being provided with quality assured, closely fitting half hour fire doors (fitted with effective overhead hydraulic self-closers, intumescent strips and cold smoke seals on the kitchen fire door); plus an LD2 Grade D AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route), all bedrooms, the lounge and in any basement, and interlinked heat detection in the kitchen, as a minimum. All basements/cellars should contain fire separation between the ground floor and the basement and, where occupied, should have an exit or escape windows or fire doors.

Shared HMOs (with 5 or 6 storeys) - as above in terms of a protected route of escape, but with self-closers, intumescent strips and cold smoke seals on all fire doors. All basement/cellars should contain fire separation between the ground floor and the basement and, where occupied, should have an exit or escape windows or fire doors. There should be also be emergency lighting throughout the route of escape, fire separation between ground floor and basement and across stairs, lobby to room entry doors and a secondary route of escape from the top two floors (but only in 6 storey properties). An LD2 Grade A AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route), all bedrooms, the lounge and in any cellar, and interlinked heat detection in the kitchen, as a minimum. The detectors must be linked to a control panel and the system should incorporate manual call points located next to final exits and on landings;

4.16 Bedsit-Type HMOs (2 storey) - a 30 minute protected route of escape (with intumescent strips and cold smoke seals fitted to all fire doors) and all basements/cellars to contain fire separation between the ground floor and basement plus, where these are habitable, an exit door or escape window or fire doors; plus an LD2 Grade D mixed AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route), all bedrooms, the lounge and in any basement, and heat detection in the kitchen, plus the provision of heat and smoke detectors to be provided in bedsit rooms which contain a cooker (these smoke detectors could be stand-alone).

Bedsit-Type HMOs (3 and 4 storey) - a 30 minute protected route of escape (with intumescent strips and cold smoke seals fitted to all fire doors) and all basements/cellars to contain fire

separation between the ground floor and basement plus, where these are habitable, an exit door or escape window or fire doors ; plus an LD2 Grade A mixed AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route), all bedrooms, the lounge and in any cellar, and heat detection in the kitchen, as a minimum, plus the provision of heat and smoke detectors to be provided in bedsit rooms which contain a cooker (these smoke detectors could be stand-alone). The detectors must be linked to a control panel and the system should incorporate manual call points located next to final exits and on landings.

Bedsit-Type HMOs (5 and 6 storey) - as above in terms of both the protected route of escape and AFD system, plus  emergency lighting throughout the route of escape, fire separation between ground floor and basement and across stairs, lobby to room entry doors and a secondary route of escape from the top two floors (only in 6 storey properties);

4.17 Buildings in Flats (2 storey) - each flat should have a 30 minute fire door, with overhead self-closers, intumescent strips and cold smoke seals; plus an LD2 Grade D mixed AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route), all bedrooms, the lounge and in any cellar, and interlinked heat detection in the kitchen, plus the provision of heat and smoke detectors to be provided in bedsit rooms which contain a cooker (these detectors could be stand-alone).

Buildings in Flats (3 and 4 storey) - each flat should have a 30 minute fire door, with overhead self-closers, intumescent strips and cold smoke seals; plus an LD2 Grade A mixed AFD system, which means fitting smoke detection and sounders on every level of circulation space (including stairwells, corridors and lobbies that form part of the escape route), all bedrooms, the lounge and in any cellar, and interlinked heat detection in the kitchen, as a minimum, plus the provision of heat and smoke detectors to be provided in bedsit rooms which contain a cooker (these detectors could be stand-alone). The detectors must be linked to a control panel and the system should incorporate manual call points located next to final exits and on landings.

Buildings in Flats (5 and 6 storey) - the same as above but with the addition of emergency lighting throughout the route of escape and fire separation across stairs;

4.18 All properties are provided as a minimum with fire safety measures that meet with sections 4.14, 4.15, 4.16 and 4.17 above; for other property types not covered above, Leeds City Council's current advisory Fire Safety Principles for properties of their type (individually determined by LCC for properties not covered by those principles) will apply. The minimum requirement of which is the provision of a mains interlinked fire detection system throughout the common areas, which should include a heat detector in the kitchen (an enhanced LD3 Grade D AFD system);

4.19 Where there is a duty to carry out a fire risk assessment on common areas of a dwelling under the Regulatory Reform (Fire Safety) Order 2005 (known as the FSO), the landlord/agent will undertake such an assessment and a copy of that shall be made available to Unipol within 14 working days of such a request being made. Where a house is let as a shared house on a single tenancy, then there are no 'common parts', so a risk assessment is not required under the regulations. Further guidance is provided by LACoRS at www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf ; the appendix to the guidance provides an example form for recording the findings of a fire risk assessment which landlords may find useful;

4.20 All HMOs with cellars/basements should have some form of interlinked fire detection system fitted. In unoccupied cellars it is preferable for a smoke detector to be installed rather than a heat detector, as these react more quickly to the presence of a fire. A closely fitting FD30S (fire and smoke) door with an effective overhead hydraulic self-closer, and with intumescent strips and

cold smoke seals, should be fitted at the top of the cellar stairs if the cellar opens on to the means of escape;

4.21 Each kitchen will be fitted with a fire blanket, situated a sufficient distance away from the cooker so as to be safely removed from its housing in the event of a fire on the cooker; Particular care should be taken to ensure there is no build-up of combustible material around grills and ovens which can become a serious fire hazard. Owners should ensure the cooker is thoroughly cleaned at least once a year and that tenants are informed of their need to clean their cooker regularly and remedial action taken (at the tenants' expense if necessary, and where this is allowed for in the letting agreement) if the cooker remains hazardous.

4.22 All exit routes within a property, such as hallways, landings and staircases (so far as they are under the control of the owner/agent and as far as reasonably practical), will be maintained safe, unobstructed and free of fixtures and fittings to enable evacuation of the property in the event of fire;

4.23 The primary escape route should not pass through bedrooms, lounges or kitchens. If there is no alternative to this then escape windows should be fitted on ground floor, first floor and basement. Back to back properties will comply with  Leeds City Council's requirements for these types of properties (the relevant standards are available from the Council's website - type Fire Safety Principles for Residential Accommodation into the search box);

4.24 Escape windows and doors should be capable of being opened from the inside of the property without the use of a key. This includes bedroom doors from the inside of the room; The specification for escape windows are provided in Leeds City Council's Fire Safety Principles for Residential Accommodation (http://www.leeds.gov.uk/docs/fire%20safety%20in%20homes.pdf).

4.25 Owners should undertake a risk assessment to determine whether emergency lighting should be installed on escape routes, but normally this will not be required. Emergency lighting would be required if the escape route is long and complex or where there is no effective borrowed light;

4.26 Owners should ensure that Fire Alarm Systems and equipment are properly checked and maintained by a competent person annually, as a minimum,  in accordance with BS5839 (a 'competent person' is someone having specialist knowledge of servicing fire detection and fire alarm systems); Grade A systems should be checked as a minimum every six months, other types of systems annually,

Security Measures
4.27 Where any period doors in a property are removed to fit fire doors, wherever possible these should be retained on the premises for use by a subsequent owner.

4.28 External doors are of solid core timber, metal framed UPVC construction or specialist security doors. All glazing in doors must be either wired or laminated glass (where this may cause historic decorative glasswork to be removed, advice can be sought from Unipol who will assess this requirement on a case by case basis);

4.29 The door frames should be strong and well secured to the jambs. If a door is replaced it is recommended that the full door set will be replaced too, ensuring that this meets with BS:PAS24: 2012 'doors of enhanced security' – as a minimum (advice can be sought from Unipol on a case by case basis);

4.30 Where the property contains three or more tenants, all external doors should be fitted with a mortise lock with internal thumb turn allowing keyless escape from the building, using either a five lever mortise lock conforming to BS 3621 or a euro cylinder lock. Where cylinder locks are used,

these must conform to the Sold Secure Diamond Standard SS312 or TS007:2012 3 star rated, as a minimum by 31st August 2017. Door sets meeting BS:PAS24:2012 meet these requirements.

4.31 All existing letter boxes located within 0.5 metres of any latch or thumb turn lock are fitted with a device on the inside to prevent thieves from putting their hands or gadgets through the letterbox and trying the latches from the inside. New door sets meeting BS:PAS24-1:2012 are designed with acceptable letter box restriction;

4.32 Ground floor and upper storey windows accessible from ground level, or over a roof, are of sound and secure construction and if replaced should meet BS:PAS 24 'windows of enhanced security' (previously BS7950), and locks should be fitted on ground floor and other accessible windows. Consideration should be given to using laminated glass (where appropriate). Where key operated locks are fitted owners should ensure that tenants are provided with keys. All escape windows/doors will allow escape from the building without the use of a key;

4.33 Security grilles are not necessary if good quality doors and windows are fitted, and their use is strongly discouraged. Any security grilles fitted to exit doors must allow escape from the building without the use of a key. Security grilles on ground floor windows should only be fitted internally and, where they form part of the protected route of escape from fire, must be easily removable. If security grilles are newly fitted it is recommended that they meet the LPS1175 SR1 standard;

4.34 Tenants are provided with crime prevention information on moving in. Information for landlords for their tenants is available from the Unipol Office. Landlords should advise tenants on the correct operation of all security measures provided and check from time to time that this advice is being conformed with;

4.35 It is recommended that a notice board is fixed solidly to a wall within a communal area of the property for the display of relevant security information;

4.36 Where burglar alarms are fitted, the alarm should be prevented from ringing for more than 20 minutes. Equipment which has proved to be unreliable or ineffective should be replaced. It is recommended that burglar alarms are fitted by **NSI** or SSAIB approved contractors;

4.37 Contact names and addresses of two key holders should be notified in writing to Leeds City Council's Environmental Health Services so that contact can be made in the event of a malfunctioning alarm. A mobile number is preferred. Landlords can register key holder details on-line by visiting www.leeds.gov.uk, then typing 'keyholder' into the search box;

4.38 Contractors and tenants should be supplied with the code numbers of alarms;

4.39 Door bells, where fitted, should be maintained regularly to ensure that they remain operational;

4.40 Hedges around external doors and windows are best kept trimmed low (usually not higher than 1m), wherever practical, to avoid providing screening for burglars. Plants and shrubs shall not be allowed to obstruct the pavements or other public areas surrounding the property;

4.41 All drainpipes close to vulnerable upper floor windows should be painted with anti-climb paint above 2 metres:

Hygiene

4.42 All facilities for the storage, preparation and cooking of food will be capable of cleansing and being maintained in a clean and hygienic state by the occupants;

4.43 All properties will be provided with an efficient and serviceable vacuum cleaner at the commencement of the tenancy;

4.44 All floor coverings in kitchens, bathrooms and WC's are capable of being cleaned with suitable domestic disinfectant products;

Communal Areas
4.45 Tenants are made aware of who is responsible for the cleaning of communal areas, including common staircases and landings outside of the dwelling, and that these are kept free from rubbish and any obstruction;

4.46 A handrail should be fitted on all staircases, internal and external, which consist of three or more steps;

Lighting and Ventilation
4.47 All properties are provided with adequate lighting, particularly the communal areas and especially on internal staircases. Properties must also be sufficiently well ventilated.

## The Environment and Sustainability
*Owners will ensure that:*

Energy Performance Certificates (EPCs)
5.00 A copy of the relevant EPC, as specified under the Energy Performance of Buildings Directive, will be made available for prospective tenants to view.

Electrical Appliances
5.01 When renewing electrical appliances, particularly white goods, only high energy efficient appliances (grade A and B) should be chosen as replacements. NB: Any new appliances from a reputable supplier will usually be grade A or B.  Unwanted electrical appliances should be disposed of in an appropriate way using a licensed waste contractor. Guidance on this is available at www.gov.uk/find-registered-waste-carrier

Low Energy Lighting
5.02 Wherever possible, low energy bulbs are either provided in properties or tenants are encouraged to supply their own low energy light bulbs in compatible fittings;

Central Heating
5.03 Central heating (or electrical heating) is provided. The central heating system should be adequate, controllable and programmable by the tenants;

5.04 Any electrical panel heater in a building, designed to comply with Part L of the Building Regulations 2002 as a minimum, is fitted with an on/off switch and 24 hour timer, or a timed booster system that allows a pre-set period of use will be satisfactory;

5.05 Any ~~new~~ wet central heating system installed will include thermostatic radiator valves (TRVs) on all radiators (except one). ~~Note: although outside the timescale of this code, in future it is intended that TRVs will be fitted to all existing systems by 1 October 2013~~

5.06 Tenants are given advice, upon request, on how best to heat their accommodation and use hot water in an energy efficient way using the facilities provided;

5.07 All properties are provided with a minimum level of energy efficiency measures to include hot water tank and pipe lagging and adequate insulation to roof void areas, where appropriate;

5.08 Energy efficiency improvements are incorporated, where practical, into refurbishment schemes and such schemes should comply with current Building Regulations, where applicable. Landlords are advised to concentrate on improving roof insulation (ideally 250mm depth if using conventional materials) and wall insulation with cavity wall insulation or internal insulation (dry lining). Replacing older boilers with condensing type boilers can also be effective. Energy efficiency advice can be obtained by telephoning 0300 1231234;

Waste and Recycling
5.09 Owners will ensure that they inform their tenants of the need for proper refuse management and about any available recycling scheme operating in their area. . Tenants are provided with up-to-date information about the waste and recycling service provided by Leeds City Council in their area, including collection days, and details of the wastes that can be put in the recycling bin (where available). Information about the service is available from www.leeds.gov.uk;

Energy Efficiency
5.10 Landlords will comply with the Private Rented Sector Energy Efficiency Regulations (Domestic) (England and Wales) from 1 April 2018

**Community Relations**
*Owners will ensure that:*

Anti-Social Behaviour
6.00 Landlords will encourage tenant-like and neighbourly behaviour from tenants.

In the event of any anti-social behaviour (defined as "behaviour likely to cause alarm, harassment, inconvenience or distress to members of the public not of the same household as the perpetrator") by tenants and/or visitors, landlords will use reasonable endeavours to intervene, with a view to ending that behaviour and ensure that the occupants are treating the property and its environs in a tenant-like manner. It is accepted that not all intervention will be successful and, in this case, assistance will be requested from a number of statutory and non-statutory agencies who may be able to intervene.

Unipol will provide on its website information on the services and services and agencies available to landlords, including help from the educational establishments and Unipol in dealing with problem tenants. For more information, visit http://www.westyorkshire.police.uk/contact-us/anti-social-behaviour. Where students are studying at the University of Leeds and Leeds Beckett University, Leeds Trinity, Leeds College of Music and Leeds City College, use can be made of the Neighbourhood Helpline (a 24 hour dedicated voicemail and email service) that responds within 24 hours to those experiencing any problem living in the community (such as uncollected rubbish, neglected gardens, noisy neighbours, illegal parking and other environmental problems) on 0113 3431064 or email neighbourhood helpline@leeds.ac.uk;

6.01 In respect of matters that can be regarded as anti-social behaviour, neighbouring residents and representative organisations shall have access to and be eligible to use the complaints procedure. A neighbour shall be defined as a resident living within 400 metres of the property;

**Gardens and Yards**
6.02 All boundary walls and fences will be maintained stable and in good repair;

6.03 Where a garden exists, the path to and from the external door(s) to the house will be kept in good repair and free from obstruction;

6.04 Where a garden or paved area exists this shall be kept in good order and free of waste and litter, so far as is reasonably practicable. The landlord, so far as is reasonably practicable, shall have responsibility to enforce a requirement that their tenants keep the garden free of litter and the garden area should not be used to store old or unwanted furniture or fittings for more than 28 working days prior to its removal;

6.05 Where a front garden already exists, it is not converted (in accordance with Local Authority recommendations and planning policies) into a hard standing area and, if possible, where a garden already exists this shall be retained as a soft planted area (this includes low maintenance gravelling with planting). Further information is available on www.unipol.org.uk/landlords/help-and-advice-resources/practical-necessities/establishing-low-maintenance-gardens

6.06 Where a property has its own external bins, the house number and street initials of the property should be marked clearly on these. Where possible, wheelie bins should be located at the rear of the property and tenants should be informed of the need to return them to that location as soon as possible after they have been emptied. The guideline currently set out by Leeds City Council for this is that the bins should be put out by 7am on the day of collection. For more information visit www.leeds.gov.uk;

6.07 All properties are provided with adequate bins for both waste disposal and recycling (where this is available).  If either type of bins is required these can be ordered by ringing the Leeds City Council environment contact centre on 0113 2224406);

6.08 The landlord will co-operate fully with an annual garden check, to be undertaken by Unipol and/or its agents, as part of their obligations under this Code to ensure compliance with matters relating to the external environment of the property, its care, tidiness and adherence to security requirements. Landlords will receive at least two week's notification of when the survey is to be conducted and will rectify any aspects of non-compliance that are identified to them within 10 working days of such notification;

6.09 Any alterations to the physical appearance of properties should be made in accordance with any existing Neighbourhood Design Statement. See www.leeds.gov.uk/council/Pages/Design-Neighbourhoods-and-Village-Design-Statements-docs.aspx for details of these.

**At the End of the Tenancy**
*Owners will ensure that:*

Deposits
7.00 Deposits are administered efficiently and reasonably by the owner or nominee and are not withheld for any purpose other than for which they were levied;

7.01 Where a landlord/agent has established an Assured Shorthold Tenancy, they must ensure that any deposit is held in accordance with the tenancy deposit scheme legislation, set out in the Housing Act 2004, and in accordance with regulations made both under the Act and by the relevant scheme operator. Where a landlord/agent wishes to change the protection scheme that they are using, they should inform the tenants concerned in writing before doing so;

7.02 Tenants are issued with clear written guidelines regarding the standard of cleaning and other arrangements for bringing the tenancy to an end so as to avoid misunderstandings regarding the standard of cleanliness and condition of the property expected at the end of the tenancy;

7.03 All deposits (or balances on deposits) will be returned to former tenants within 28 days of the end of the tenancy or, if the deposit is protected by the Tenancy Deposit Protection Scheme, then

in accordance with those requirements. In the event that a deposit is not to be returned within 28 days then the tenant will be sent reasons for that delay, in writing, together with a statement of account providing reasonable details of any and all deductions to the former tenant/s.

**Other Provisions**
*Owners will ensure that:*

**Management of Disputes**
8.00 Where disputes between owners and tenants occur, reasonableness and promptness in dealing with the issues by both parties is the key to the amicable and effective resolution of problems. Owners therefore undertake to:

8.01 Respond reasonably and promptly to tenants or tenant representatives in regard to any complaints or difficulties raised by tenants;

8.02 Make written response to correspondence from tenants or their chosen representative within three weeks;

8.03 Ensure that all settlements and agreements reached are honoured within three weeks of being agreed;

8.04 Maintain courteous professional relations with tenants during any dispute.

**Redress Schemes**
8.05 All landlords and managing agents will comply with the The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014, and where applicable should register with a government approved redress scheme.

**Complaints**
*Owners will ensure that:*

9.00 Within four weeks of receipt of any written complaint from a former tenant (up to one year previously) tenant, a local resident or their representative, they will rectify any breach of the Unipol Code or, where such an allegation is contested, will enter into relevant correspondence with any tenant/s or their representative, addressing the matters raised;

9.01 Where such a breach is contested, or where rectification is not made, then the owner shall recognise the authority of a Tribunal, which s/he recognises under the Unipol Code, to determine whether the Unipol Code, agreed by them, has been breached and to make recommendation/s to the owner in accordance with its views;

9.02 In the event that such recommendations are not followed by the owner then the owner will be deemed in breach of the Unipol Code and this fact will be made public to prospective tenants;

9.03 The Tribunal will have the authority to exclude any owner from the Unipol Code for a period as determined.

# Appendix C

**Midland Landlord Accreditation Scheme: Code of Conduct**

*To be a fit and proper person under MLAS Terms & Conditions you must be able to declare the following. You will be expected to sign and agree to this as part of joining MLAS.*

**I declare that I will conform to the Midland Landlord Accreditation Scheme's following Code of Conduct:**

**CODE OF CONDUCT**
**All tenants will be treated with appropriate courtesy and respect.**
1  I will always act in a fair, honest and reasonable way in all my dealings with tenants and will respect their rights to peaceful and quiet enjoyment of the property;
2  I will not discriminate in my dealings with prospective and/or existing tenants or treat them less favourably than others because of their colour, creed, ethnic or national origin, disability, age, sex, marital status, sexuality, politics, or their responsibility for dependants;
3  I will, emergencies excepted, give the tenant reasonable notice (at least 24 hours and in writing, stating reasons) when access to the property is required by the landlord, contractor or agent.
4  I will provide tenants with a written statement of the terms of their occupancy (a tenancy agreement), together with a current inventory, a contact telephone number or other means of contacting the landlord or their agent in an emergency, and details of what conditions as attached to the deposit or bond.
5  For agents, I will provide a written statement of terms and conditions to landlords detailing all the rights, responsibilities and liabilities of the agency agreement.
6  I will acknowledge promptly all written communications received from the tenant and will respond appropriately to telephone or other verbal messages and will, when so requested, provide the tenant with a written statement of their tenancy account;
7  Before proceedings are commenced, I will notify the tenant in writing of any breach of the tenancy agreement that is to be used as a basis for legal proceedings against the tenant;
8  I will not cause harassment to a tenant or instruct or undertake any action that involves the tenant being illegally evicted or harassed;
9  Subject to any statute and/or separate agreements and unless I have good legal cause, I will return promptly at the end of the tenancy, any deposit paid by the tenant, which is held by me or on my behalf. If required, a written statement accounting for and explaining any deductions will be provided. The tenant will also be told of the steps they can take if they are not satisfied that the deductions are fair and reasonable.
10 I will not refuse a tenant a reference for the purposes of securing a new tenancy, without good cause.
   **The landlord will, and an agent will take all reasonable steps to, ensure that the tenant is provided with accommodation that complies with relevant legal requirements, in particular**
11 I will take all reasonable steps to ensure all accommodation I provide will not fall below the current minimum legal standards for habitation. That is it is in a

reasonable state of repair, has adequate fire safety and amenities and meets basic standards of management.

   a. Agents who are not responsible for property standards will inform the landlord in writing of any areas requiring attention, or other statutory requirement, and will notify the local authority if the landlord fails to rectify. However in the case of a serious risk to anyone's health or safety, I will, when made aware by any occupier, also advise them to notify the local authority. In the event of the occupier being unable to do this I will report the matter on their behalf.

   b. Landlords, or managing agents, will prepare an improvement plan if the property does not meet the current minimum standards. The improvement plan will set out how, and within what period, improvement will take place. Any local authority having reason to inspect such a property, whilst fulfilling their statutory functions, may request this plan.

12   All disrepair or defects in the property for which I am responsible will be attended to promptly with minimum disturbance to the tenant.

13   Subject to statutory rights of appeal, I will comply with all statutory notices served by a local authority;

14   Subject to statutes, I shall hold all relevant safety certificates in respect of gas installation and appliances in the accommodation provided for letting which are my responsibility, and copies of these will be provided to the tenant. Where automatic fire detection or emergency lighting is a requirement, I shall ensure that installations are properly serviced by a competent person in accordance with the relevant British Standards;

15   I will not advertise or claim any property as belonging to any person or organisation accredited under the MLAS unless the responsible local authority's private sector housing team has been notified in writing that the property is (or is to be) rented out to tenants;

16   I will take steps to maintain and improve my knowledge of current relevant legislation and good practice.

17   For agents only, I shall provide all landlords with information about the MLAS and urge them to apply to join the scheme.

18   I will not act in such a manner that brings the Midland Landlord Accreditation Scheme into disrepute.

All references to an individual in this Code will apply equally to relevant Directors, Partners and/or employees of a Company or business accredited under this scheme.

**West Dorset Landlords Accreditation Scheme: Management Committee**

*Constitution*
A Management Committee will monitor and govern the scheme. The committee will be formed by representatives of the participating bodies. It will review the objectives of the scheme and serve to ensure that the best interests of the membership are served. It will decide upon any disputes or complaints relating to the scheme or the actions of scheme members.

Participating bodies shall include:
- West Dorset District Council

- private landlords

- managing agents

- private tenants

- registered social landlords

- any other body agreed by the management committee.

The committee shall consist of 12 members, made up as follows:
- three nominated by West Dorset District Council

- three nominated by accredited landlords

- two nominated by accredited letting agents

- two nominated by West Dorset District Council representing tenants

- two nominated by registered social landlords being associates of the scheme

All members will have a right to nominate themselves to serve on the committee. Nominations must be received no later than one month ahead of the November meeting of the committee, and must be made in writing to the Chair. Where there are more nominees than vacancies, election will be by a ballot of the scheme members.

There will be no fewer than two committee meetings every year at such date, time and place as is notified by the Council, one of which shall be in November of each year, called the Annual Committee Meeting.

A quorum of the committee shall be five members present and entitled to vote.

No member shall be entitled to speak or vote on a matter in which they have a personal interest, pecuniary or otherwise, and shall withdraw from the meeting whilst the matter is discussed unless permitted to remain.

The Chair and Vice-Chair of the committee shall be elected by members of the committee at the first meeting and thereafter at the Annual Committee Meeting. The Vice-Chair shall exercise the powers of the Chair only in the absence or incapacity of the Chair. In the absence from a meeting of the Chair and Vice-Chair, a Chair for that meeting may be appointed.

Voting at meetings shall be by show of hands and decisions reached by majority vote. If the voting is equal, the Chair shall have a casting vote.
Committee members can serve for any period of time but must be re-elected at each Annual Committee Meeting.

### *Functions*
The committee will:
- monitor the progress of the scheme and seek to develop it in the best interests of the membership

- monitor national developments, government proposals and initiatives and make representation where appropriate on behalf of the WDLAS

- agree a work plan for the scheme on an annual basis and inform the members of the content of the plan

- ensure there are at least two seminars and two newsletters per annum

- consider all complaints and disputes relating to the administration of the scheme or the actions of any scheme members to safeguard the integrity of the scheme.


## West Dorset District Council: scheme administration

The Council will:
- be responsible for administering the accreditation scheme and convening meetings of the scheme's Management Committee

- arrange seminars and prepare newsletters with the purpose of informing members of developments of interest to their business

- assist landlords to achieve accreditation status by providing general information and advice and supplying all documentation

- advise members and the Management Committee about current and proposed changes in legislation and implications for the scheme and scheme members

- implement changes to the scheme as directed by the Management Committee

- assist accredited landlords to improve any substandard houses with an agreed phased improvement programme after consulting the tenants (if any) in the property

- maintain a database of accredited landlords; the system to hold the following information:

    o name and address of accredited landlord (person in control of / managing property

    o date of issue of accreditation certificate and expiry

    o record of key events – eg, checking with other records, tenants' complaints, change of ownership etc

- work towards accredited landlords receiving the benefits of hotlines to certain housing service delivery and to obtain rapid solution of queries (with the consent of the tenant)

- make application forms, log books and guidance notes for accreditation available to landlords through the Council offices

- issue certificates of accreditation on receipt of applications where there are no criteria for exclusion

- monitor the progress and success of the scheme and report any issues of relevance to the Management Committee and to meetings and forums held by the participating bodies

- promote and publicise the scheme and its advantages in consultation with the participating bodies

- inform all known landlords about the scheme

- make representation at the behest of the Management Committee to other bodies

- receive any complaints or information relating to a dispute made by a landlord or a tenant of a landlord and refer the matter to the Management Committee if appropriate.

**Residential Landlords Association Accreditation Scheme Ltd ("the Scheme"): privacy notice to be given to landlords on application to the Scheme**

PRIVACY NOTICE – YOUR INFORMATION

We operate the Scheme in conjunction with [      ] ("the Sponsor").

*Privacy*
We know that you may be concerned about how information about your business is dealt with by us. This privacy statement sets out how we deal with this information and how and when it may be shared with others. We may change this statement at any time in the future.
*Business information*
We maintain records of information concerning you and your business necessary for the purposes of managing the Scheme. Only information which is essential to the Scheme and is needed for the purpose of managing and operating the Scheme will be held by us. This includes the details which we obtain from a Sponsor (including where applicable a local authority) at the outset of your membership of the Scheme or subsequently. We keep records / information concerning your conduct in relation to premises owned or managed by you, tenancies under which you are the landlord / agent, tenants and residents and prospective tenants and residents, repairs, property condition and other relevant information which you would expect relating to your property letting / management business. We collect this information to enable us to manage the Scheme and carrying out our responsibilities under the Scheme or under our agreement with any Sponsor. This information will be retained while you remain as a member of the Scheme and for so long as it is considered necessary. Any staff employed by us or any Sponsor or our employees / agents or any Sponsor's employees / agents may have access to this information.

*Third parties*
When you sign the original application for membership and when it is renewed we ask you to consent to the disclosure of information by us to certain third parties, particularly the local authority and also for the local authority to share information with us and likewise with any other Sponsor.
We may share information with a local authority in whose area a property is located or any other Sponsor and they may share information with us which they hold. This is to enable us to see how you conduct your business as a landlord / agent and to keep the local authority informed as to any issues or concerns.
Likewise, we receive information and reports from a Sponsor or a local authority and we can make use of these reports / information for the purposes of managing the Scheme, including taking action against you under the terms of the Scheme to require compliance with your Scheme responsibilities. Only information which is essential to the Scheme and which is needed for the purposes of the Scheme operation will be shared between us and any Sponsor.
We may need on occasion to share a certain amount of information about you / your business with tenants / residents relevant to managing the Scheme.
On occasion, in exceptional circumstances, it may also be necessary for us to share information with others if we consider this to be appropriate and necessary either in your interests or to assist us in ensuring that you carry out your responsibilities under the Scheme or to enable us to carry out our own responsibilities under the Scheme.
The Residential Landlords Association (RLA) and its subsidiaries/affiliates conduct certain marketing activities and provide information to landlords / agents. Information given to us, such as your name and contact details, may be used in connection with such activities but you have the right to notify the RLA that you do not wish your information to be used for these purposes.

*What happens if the Scheme ends*

If for any reason we cease to manage the Scheme information which we hold may be retained by us and used in conjunction with any other scheme should you continue as a member.

**Residential Landlords Association Accreditation Scheme Ltd ("the Scheme"): information sharing protocol**

RLAAS LTD shall endeavour to obtain the informed written consent of landlords for the exchange of information between any local authority in whose area a property owned or controlled by a member is located [or    ] ("a Sponsor") and RLAAS LTD relevant to the operation and management of the Scheme and the Council's Functions as well as the implementation of this Protocol. The Scheme application form will contain a form of consent.

Information which consists of personal data within the meaning of the Data Protection Act 1998 (DPA) shall be processed subject to and in accordance with the provisions of DPA.

Information must not be exchanged if this would breach the terms of the DPA whether because any required consent cannot be obtained or otherwise.

In the case of landlords who are members of the Scheme, subject to compliance with DPA, RLAAS LTD shall supply s Sponsor with the following information: name, address and contact details; list of properties; inspection and other reports; and details of complaints.

And a Sponsor shall supply to RLAAS LTD (i) inspections and other reports and (ii) details of complaints and their outcome.

Landlords who are members of the Scheme shall be supplied with a privacy notice by a Sponsor and RLAAS LTD in the attached form.

Consents obtained for the disclosure of information pursuant to DPA shall provide for the processing of personal data by RLAAS LTD following the termination or ending of the Scheme.

**Salford City Council Landlord Accreditation Scheme: tribunal process**

Complaints can be made under the code of standards about landlords who are members of the accreditation scheme.
Who can complain?
- tenants of accredited landlords

- former tenants of accredited landlords, within six months of the expiry of the subject tenancy agreement.

- a representative from either – written authorisation to accompany complaint must be provided by the tenant or ex-tenant

- in incidences of neighbour nuisance and nuisance complaints - a neighbouring resident to the tenant

- other interested party

*First stage – initial complaint*

Initial complaint received.  This can be made by telephone or in writing.  The accreditation team will investigate the complaint and may do the following to help resolve the problem:
- contact the owner/managing agent of the property

- attempt to negotiate a resolution between the parties

- arrange a joint property inspection.

The accreditation team will make every attempt to address complaints within one month of receipt.

*Second stage – formal complaint*

If the complaint cannot be resolved informally the complainant will be asked to put the complaint in writing either by using a standard form that can be supplied or by letter.  The tribunal/review panel will then consider the complaint within four weeks. The complaint should clearly state: -
- what breach of the code has been made

- any steps the complainant has taken to bring this breach to the landlords attention

- timescales involved

- contact address and telephone number for person making the complaint

- any attempts made by the landlord to rectify the problem following the complaint.

*The tribunal/review panel*

The tribunal/review panel is to be made up of a representative group from a selection of the following:

Chair – elected member (Councillor)
Two accredited landlords/managing agents
One representative from the Housing Advice Service
One representative from Salford Mediation
Senior Officer from the council

### *The tribunal/review process*

A tribunal ought to be held as promptly as possible but to a maximum of three months after the formal complaint has been received. The parties concerned are to be given 14 days' notice confirming the procedures and arrangements of the Panel hearing. The hearings are to be conducted in formal quasi-judicial fashion, with landlords and tenants (who can be represented by CAB) invited to attend the panel to put their case forward. However, legal representation at the hearing is not allowed.

Every attempt will be made to ensure that a convenient time is arranged.  If either party is unable to attend, without giving 14 days' notice or providing a legitimate excuse, the hearing will take place in absentia of that party.

The tribunal does not replace existing Council enforcement powers.  It looks only at breaches of the Code of Standards for membership of the Landlord Accreditation Scheme.  Separate action may be taken by the City Council if appropriate, eg by serving a repairs notice.

It is the duty of the panel to consider disciplinary action, as appropriate, in respect of persistent, and/or serious breaches of the Code. The panel has the power to rescind membership of the accreditation scheme.

The tribunal would be unable to make monetary awards and could recommend the following courses of action if the owner was found to be in breach of the code: -

- a warning letter to owner that further breaches of the code could result in suspension or expulsion

- suspension from the Landlord Accreditation Scheme (for a specified time) to allow owner time to comply with the code of standards

- to publicise the case

- expulsion from the accreditation scheme.

The results of tribunal hearings will be confirmed to the parties involved in writing within 14 days. They will also be made available to other accredited landlords through reports to the working group.
A landlord may appeal against its decision to the Director of Housing who will consider the documentation before reaching his decision, which will be final.

# APPENDIX H

| Unipol Accreditation Scheme: documentation checklist for inspections | |
|---|---|
| *Certificates* | *Always required?* |
| *Annual Gas Safety Report* | √ (if gas appliances) |
| HMO licence or acknowledgement of application | If applicable |
| Current Energy Performance Certificate | √ |
| Electrical Inspection Report | √ |
| Other Accreditation Scheme membership certificate | √ if claiming discount |
| *Fire Safety* | |
| Test Log Book (for all fire alarm systems and equipment) | √ if applicable |
| Emergency lighting (5 / 6 storey, where duty under FSO 2005) | If applicable |
| *Tenant Handbook / Folder at property which includes:* | |
| Written instructions for safe and efficient use of central heating and hot water systems | √ |
| Fire safety procedures and precautions | √ |
| Crime prevention information | √ |
| Emergency contact | √ |
| Accreditation Code information | √ |
| Guidelines on standards of cleaning, refuse disposal and tenancy arrangements | √ |
| *Tenancy issues* | |
| Copies of the:<br><br>• Tenancy Agreement<br><br>• Terms and conditions of letting, including responsibility for service charges<br><br>• Inventory and schedule of condition to support deposit | √<br>√<br><br><br>√ |
| Evidence that deposit is held in Tenancy Deposit Protection scheme | √ |

(Schedule provided courtesy of Monitor BCS - Dick Scott)

**London Landlords Accreditation Scheme: accreditation of organisations, including sole traders, partnerships and agents**

The London Landlord Accreditation Scheme (trading as UKLAP) was launched in July 2004 to accredit individuals and organisations who rent out premises in the private residential sector, or who are considering becoming landlords. Organisations include sole traders, partnerships and limited companies. Foreign registered or based organisations will need to contact the UKLAP for further information. Organisations are eligible to apply for accreditation under the UKLAP if:

- **at least two thirds** (rounded up) of their Directors or Partners have successfully undertaken the UKLAP developmental courses. This ratio only applies to those Directors or Partners who have an active involvement in the letting business, and

- **ALL** Partners and Directors are fit and proper persons and agree to comply with the code of conduct.

For attendance at the development course the following ratios apply:

| No. of Directors or Partners with active role in letting business | No. required to undertake LLAS development course |
|---|---|
| 1 | 1 |
| 2 | 2 |
| 3 | 2 |
| 4 | 3 |
| 5 | 4 |
| 6 | 4 |
| Etc | |

**Employees**
If, in addition to the sole trader, Director or Partners, there are other employees within the organisation, then **two thirds** of those employees that **directly** deal on a day-by-day basis with the letting of private residential properties must **also** have completed the UKLAP landlord training course.
For companies having **more than five** employees in addition to sole trader, Directors or Partners, the operations manager(s) or equivalent must have completed the course.
**Directors or Partners accredited individually**
Directors or Partners within an organisation can be accredited as individuals, but the above conditions apply if they wish their organisation to be accredited in its own name. But:-

- accredited individuals within an organisation must not imply, either directly or indirectly, that the **organisation** is accredited unless the above conditions have been fulfilled and accreditation has been awarded to the organisation. This is particularly relevant to partnerships. To do so will result in expulsion from the UKLAP

- by definition, an individual may not be a fit and proper person if any associate, whether a fellow Director or Partner or otherwise is unable to comply with the fit and proper person conditions of the UKLAP.

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