



The Certification Mark for Onsite Sustainable Energy Technologies

MCS Standards Management Group Final Minutes

Date: 25th January 2017, 10:30am – 15:30pm

Venue: Gemserv offices, 8 Fenchurch Place, London, EC3M 4AJ

Attendees:

No.	Name	Representing	WG no.	Organisation
In attendance				
1	Griff Thomas (GT)	PV (Chair)	WG02	GTEC Training
2	Andrew Hopton (AH)	Biomass	WG05	HETAS
3	Gideon Richards (GR)	MCSSCo Interim CEO	n/a	Consulting with Purpose
4	Mark Lewitt (ML)	MCS 010 and MCS 011 WG Chair (no voting rights)	n/a	KIWA
5	John Holden (JH)	MCS Product CBs (Vice-Chair)	n/a	BRE Global
6	Graham Hazell (GH)	Heat Pumps	WG06	HPA
7	Dani Putney (DP)	MCS Contractor CBs	n/a	NICEIC
8	David Cowburn (DC)	MCS 001	n/a	Competent Persons Scheme
9	Neil Sawers (NS)	Solar Thermal	WG01	Grant UK
11	Howard Roche (HR)	Metering (invitee with no voting rights until ToR updated)	n/a	Vital Energi
12	Moira Swinbank (MS)	Trustees	n/a	
13	Katy Read (KR) <i>(part)</i>	Government	n/a	BEIS
14	Christine Schams (CS)	Government	n/a	BEIS
16	Colin Meek (CM) <i>(part)</i>	Consumer Code	n/a	RECC
17	Imogen Jamie (IJ)	MCS Administrator	n/a	Gemserv
18	Louise Evans (LE)	MCS Administrator	n/a	Gemserv
Apologies				
1.	Danny Jones (DJ)	Competence Criteria	n/a	Expertina
2.	Stuart Elmes (SE)	Roofing Issues	WG10	Viridian Solar
3.	Tony Bowen (TB)	Heat Pumps	WG06	HPA
4.	Graham Wright (GW)	Heat Pumps	WG06	Daikin
5.	Jon Sturgeon (JS)	Roofing Issues	WG10	Solarcentury

Agenda:

No.	Agenda Item	Led by	Document Reference	Time
1	Welcome and approval of the agenda	Chair	Verbal	10:30
2	Minutes and actions from last meeting	Chair/ MCS Administrator	<ul style="list-style-type: none"> ➤ SMG_170125-02a - Minutes from previous meeting ➤ SMG_170125-02b - Action Log 	10:35
3	MCS scheme updates: <ul style="list-style-type: none"> • Novation 	GR/ BEIS	Verbal	10:55
4	MCS Working Group proposals and updates	Heat Pump Representative	<ul style="list-style-type: none"> ➤ SMG_170125-04a - Consultation Collated Responses ➤ SMG_170125-04b - MIS 3005 v5.0 ➤ SMG_170125-04c - Compliance Certificate 	11:05



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			<ul style="list-style-type: none"> ➤ SMG_170125-04d - Handover Checklist ➤ SMG_170125-04e - Final Impact Assessment ➤ SMG_170125-04f - MCS Heat Pump System Performance Estimate (<i>late paper</i>) 	
		Planning Representative	➤ SMG_170125-04g - MCS 010 and 011 Change Request (ref: 018)	12:05
		Solar PV Representative	➤ SMG_170125-04h - MCS 005 and 017 Change Request (ref: 016)	12:20
5	Recommissioning	GR/ BEIS	Verbal	12:35
Lunch				13:00
6	RECC Performance Estimates Project	Chair	➤ SMG_170125-06 - Recommissioning	13:30
7	EWR and Competence	Chair	➤ SMG_170125-07 - EWR Pilot Statistics	14:00
8	MCS Change Process	Chair/ MCS Administrator	➤ SMG_170125-08 - MCS Change Process	14:30
9	AOB	All	Verbal	15:15
10	Dates of next meeting: ➤ 21/03/2017	MCS Administrator	Verbal	15:30

1. Welcome and approval of the agenda

GT raised that several expected attendees are running late. It was agreed that the RECC Performance Estimate item should be discussed following the heat pump representative working group update.

The Chair invited comments and AOBs for the agenda.

2. Minutes & Actions from the last meeting

The draft minutes from the previous meeting were reviewed, edited and agreed to be an accurate reflection of the meeting subject to the following amendments:

- DC – Item 5 – line 157 – *only approved EWR Providers will be able to offer an EWR to MCS Contractors until after the pilot has closed, and amend line 356 to the EWR Providers as they are the only Providers who can offer this route to demonstrating competence after the March deadline.*
- GH – line 63-65 amend to *'unless it is made available through open government licence'.*
- GH – line 160-161 amend to *'and in his view it might be easier quicker and cheaper to ignore the EWR and go for the qualifications route.'*

At this point GH joined the meeting.

- JH – to amend GR in apologies to MCSSCo Interim CEO in accordance with the SMG ToR.

At this point ML joined the meeting.

GR queried several lines from the previous meeting's minutes:



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- Line 188 whether the amendments to MIS 3005 would encourage more accurate heat size loading and the members agreed that this is what was said at the meeting.
- Line 192 was consumer law discussed and whether the re-set of 14 days is possible. The SMG agreed that this was not specifically mentioned at the meeting but has been discussed post-meeting.

GT invited introductions and welcomed attendees to the meeting.

At this point KR and CS joined the meeting.

Action log and outstanding actions:

Only the high priority outstanding actions on the action log were reviewed and updated as follows:

Reference	Action	Update
SMG 021-004	GR to confirm whether WGs own the MCS standards and, if so, whether a formal handover is required.	Intellectual property of the Scheme is being discussed as part of the novation process. BEIS provided an update to the Steering Group on 13 th January 2017. A further update will be provided as it becomes available.
SMG 22-001	GT to discuss CAPs with the Management Panel and confirm the change process for these documents.	MCS Administrator is currently reviewing the governing document for the Commonly Agreed Positions (CAPs) for consideration by the Management Panel at the next meeting.
SMG 22-014	MCS administrator to refer request for additional funding to carry out fire test to the Management Panel.	This action is pending until novation is completed.
ACTION SMG 23-005	MCS Administrator to build into the SMG funding application process a cover note of contract from the service provider in cases where a third party service provider is delivering the work.	The draft contract template for SMG Funding Proposals is awaiting wording for the intellectual property clause.
SMG_160329-10	SMG to write to each of the heat technology working groups to request each consider amending the respective installer standard to specify that performance estimates be provided to customers at the pre-contractual stage.	A Solar Thermal WG meeting has been arranged for the 21 st February, following which this action will be closed.



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<p>SMG_160329-13</p>	<p>DJ to forward correspondence regarding EWR with UKAS to the SMG ahead of the 20th April Steering Group meeting.</p>	<p>GR noted that no written correspondence is available to be circulated and the action should be closed.</p> <p>DP raised that the CCWG meeting in 2013 discussed UKAS stating CBs could not operate EWR.</p> <p>It was agreed that GT and LE should review correspondence and ascertain where a conversation took place. This action is closed and will be carried forward under ACTION SMG_170125-01.</p>
<p>ACTION SMG_160720-03</p>	<p>GH to raise remote commissioning issues with HP working group.</p>	<p>Due to time constraints it was agreed that the HP WG would postpone this discussion until the next WG meeting. GH suggested that the status of the action should be reduced as lower priority.</p>
<p>ACTION SMG_160720-06</p>	<p>MCS Administrator to consider circulating a communication to MCS installers clarifying EWR.</p>	<p>Following discussion with DJ, this will be considered upon completion of the EWR Pilot.</p>
<p>ACTION SMG_160720-09</p>	<p>MCS Administrator to add MCS 023 to the agenda of the September SMG meeting.</p>	<p>The SMG agreed to raise this item for discussion following the publication of the revised PAS documents. It was agreed this item should be included on the agenda for the next SMG meeting scheduled for March.</p>
<p>ACTION SMG_160928-02</p>	<p>GR to circulate a formal document from the council regarding the IP rights and licencing arrangements to the SMG via the MCS Administrator.</p>	<p>GR noted that these are legally privileged documents and have not been finalised which is why they have not been provided.</p> <p>The MP will consider an appropriate update to be provided to the SMG.</p>
<p>ACTION SMG_160928-04</p>	<p>The SMG to let the MCS Administrator know where unique work has been carried out as part of the due -diligence work being carried out.</p>	<p>GT noted that this action will be further examined at a more appropriate stage of novation.</p>
<p>ACTION SMG_160928-05</p>	<p>MCS Administrator to include the SMG ToR on the agenda for a future SMG meeting following a decision on where the SMG sits within the Scheme's governance structure.</p>	<p>SMG ToR will be added to the agenda for discussion post-novation following confirmation of the governance structure from the Director Designates.</p>



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ACTION SMG_161201-03	MCS Administrator to raise the competence requirement in MIS documents at the next Competence Criteria WG meeting.	The competence requirement in MIS documents will be discussed at the next Competence Criteria WG meeting taking place on the 15/02/2017.
ACTION SMG_161201-06	MCS Administrator to raise clarifying the software control guidance in MGD 001 at the next MCS 001 WG meeting.	Software control guidance in MGD 001 will be added to the agenda for the next MCS 001 WG meeting taking place on 09/02/2017.
ACTION SMG_161201-08	MCS Heat Pump WG to discuss the removal of Appendix D of MIS 3005 with the Solar Thermal WG.	An email was sent to the Chair of the Solar Thermal WG on 11/01/2017, the Chair could not see an issue with the removal of Appendix D (labelling) from MIS 3001 but has asked for it to be included as an agenda item for the WG to consider. IJ clarified that the action is to confirm whether the ST WG could also remove the Appendix from MIS 3001.
ACTION SMG_161201-10	SMG to review Clause 4.2 of MIS 3005 post-consultation.	Clause 4.2 will be discussed under agenda item 4.
ACTION SMG_161201-15	MCS Administrator to arrange inviting BRE to a future SMG meeting to discuss the Micro-Cogeneration Add-On Calculator.	The Micro CHP WG held a teleconference on the 9/12/2016 where they agreed to attempt to arrange a meeting with BRE outside of the SMG. If this attempt is unsuccessful, this action may be revisited.
ACTION SMG_161201-16	NS to update the SMG on the Solar Thermal WG feedback on the RECC performance estimates reports.	The next Solar Thermal meeting has been arranged for 21/02/2017. An update will be provided at the March SMG meeting.

ACTION SMG 170125-01: GT and MCS Administrator to review correspondence and determine where a conversation has taken place regarding UKAS and competence.

3. MCS Scheme Updates

Novation



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KR noted that it is not expected that novation will be completed in the next month and completion is loosely expected during Spring. There is a high volume of remaining discussions to complete involving multiple parties. Since the previous update in December, a considerable amount of progress has been made.

GT raised that there are still some outstanding queries regarding IP of the scheme IP and discussions are being held with the relevant parties to get a view on whether this is possible.

KR suggested that an update will be provided to the SMG as it becomes available.

Separately, GR informed the SMG that the Steering Group have been written to regarding a legal claim with a large number of defendants which is hoped to be resolved quickly.

4. MCS Working Group proposals and updates

Heat Pump Working Group Representative

At this point CM was invited to join the meeting.

MIS 3005

GH introduced the collated responses received to the consultation.

It was noted that MGD 002 will be updated following approval of the amendments to the standard. CS raised that it was agreed by the Heat Pump WG that recommended settings be provided to the customer and a statement to say that they should not be tampered with. The SMG agreed that a point can be added to the Heat Pump Handover Pack Information document. CS also raised amending the outcome comment in the consultation response to state that the disclaimer has been included on the SCOP tab of the MCS Heat Pump System Performance Estimate.

GR raised whether a discussion needs to take place to sense check the disclaimer and possible scheme liability. GT suggested this would not be consistent with the Change Process, however, the Management Panel could consider seeking legal advice separately.

CS suggested that the discussion is worth having and CM added that the disclaimer is welcome but does it capture that the overall estimated performance of the system will be overstated rather than understated.

IJ explained that at the last HP WG meeting, it was agreed that the entire spreadsheet will be mandated as opposed to the first tab as previously proposed. CS also suggested that the SCOP table and definition be included on the first tab of the spreadsheet. This amendment was considered as part of the responses provided during the consultation. It was agreed that the template have all information on one sheet and the 2nd note be amended to read 'please see definition provided'.



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CS raised that the comments state that JTH would amend the template for seasonal performance and occupancy, but the Heat Pump WG agreed not to proceed with this suggestion.

The SMG discussed the circumstances of reissuing the performances estimate and GR questioned the definition of 'different' in regards to the performance and/or design to warrant a variation in contract and the performance estimate being reissued.

GH explained the difference between energy and power. The heat demand is taken from the EPC and the power is referring to the power required from the heat pump to meet the demand. GH clarified that the heat loss calculations are used to size the heat emitters. There was a debate between the WG and it was agreed that whilst the EPC might not accurately estimate the performance of the system, mandating this calculation method at quote stage would ensure a consistent approach to be used between installers; leading to more comparable quotes.

It was agreed that MIS 3005 Clause 4.2.18 a) and b) sufficiently explain that a reissue is required following a change and that the definition of 'Design' would prevent an installer from installing a different product than was quoted in the design without informing the customer of any changes in estimated system performance and update of contract.

GR asked what would trigger the customer being able to withdraw from the contract. GH suggested that any change in the estimate. NS noted that it may be confusing for the consumer to call the outputs of the EPC assessment and whole house assessment a 'quote'.

KR suggested that these concerns are a bit late as these questions should have been considered by the working group. GR added that if there is a risk to the scheme, then issues should be considered.

CM raised that RECC anticipate issues where a contract is signed, the customer is reluctant to cancel the contract. It is easier as a result of the changes to MIS 3005 for on-premises selling to take place. GH agreed with RECC's view, however, the standard has been developed to improve the existing standards.

CS suggested the Impact Assessment for the changes to record these concerns as a potential risk so that this can be monitored over the next few months. The SMG discussed RECC's monitoring strategy and it was agreed that any changes to the RECC monitoring strategy that affect heat pumps, be communicated to the Heat Pump WG.

GR added that liability is being created as now MCS have created a process to comply with internally whereas before, the installer had their own process to follow.

ACTION SMG 170125-02: MCS Administrator to amend the Final Impact Assessment for the MIS 3005 changes to reflect RECC concerns regarding business models and risk to the Scheme.

ACTION SMG 170125-03: RECC to provide an update to the HP WG of any changes to the RECC monitoring strategy that could affect heat pumps.



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GH raised that the HP WG have put a lot of effort into ensuring the standard is robust and are the compliant industry members. GR added that this is recognised, however, consumers need to be protected from the non-compliant practice.

The SMG proceeded to continue reviewing the consultation responses which have been incorporated into MIS 3005.

The following comments were noted:

- MCS is awaiting a publication date from BEIS that ties in with the regulations update.
- Clause 4.2.1 has been amended to reflect the consultation responses received regarding internal temperature.
- The performance estimates has been named the 'MCS heat pump system performance estimate'. The estimate will need to be updated to reflect this.
- CS raised that clause 4.3.2 is not consistent with the rest of the document and will need to be amended. JH noted that this section is here for non-SCOP heat pumps.
- Clause 1.12 was updated – amend to better language

Clause 4.3.1 and 2 were updated during the meeting to reflect the intention of the Heat Pump WG.

ACTION SMG 170125-04: MCS Administrator to amend the first line of the MCS heat pump system performance estimate to have the correct title.

IJ raised that one additional change was proposed by the HP WG to MIS 3005 clause 4.2.17 to mandate that the information be provided to the customer within 28 days. The SMG discussed what the implications of this would be. The Chair asked CM whether consumers have been unfairly disadvantaged as a result of waiting longer than 28 days. CM suggested that some installers are more likely to cut corners around the time of degrossion. In order to agree the appropriate wording to mitigate this issue, the SMG discussed what CBs would specifically audit to confirm that the information provided to the customer was correct. The worded in clause 4.2.17 was amended to replace '28 days' to 'within a reasonable time'. It was agreed that the HP WG should review the term reasonable and include this in guidance.

CS raised that MIS 3005 doesn't cover amendments to financial projections. Clause 4.2.18 was amended to say '(including but not limited to any financial projections)'.

ACTION SMG 170125-05: MCS HP WG to review the term 'reasonable' for inclusion as a note in MGD 002.

At this point KR left the meeting.



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Based on the amendments made in the meeting, the MIS 3005 was unanimously approved.

MCS Heat Pump System Performance Estimate

The group proceeded to review the MCS Heat Pump System Performance Estimate. CS highlighted that the running costs had been updated from old to existing and new to renewable system. It was also agreed that a line would be added to specify that new builds can use SAP and existing builds will use EPC.

A discussion took place around what would cause the total eligible energy figure to change, this was linked to shared ground loop system. The wording was altered to clarify the potential RHI energy subject to heat cap, and the energy eligible for RHI. A note was added below to say adjusted SCOP where applicable as the appropriate flow temperature can affect the results. IJ raised that the term 'SCOP adjusted' suggests that the SCOP can be changed which it cannot.

The SMG discussed whether the CAP applies before or after the SCOP has been included in the calculation, it was concluded that the CAP is applied before. CS raised that she would like to discuss with BEIS colleagues that the CAP details and figures are correct.

NS suggested that there could be more space for the installer logo and DC requested to adjust the ground source dropdown box. GT asked the group whether they are happy with the performance estimate subject to layout changes.

A vote took place to approve the Performance Estimate, the results were all in favour of approving bar GR who abstained.

ACTION SMG 170125-06: MCS Administrator to amend the layout of the MCS Heat Pump System Performance Estimate as per SMG discussions.

Compliance Certificate

Amendments were made to section 7 regarding the declaration requirements of the updated compliance certificate.

Heat Pump Handover Pack Information

It was agreed that the fourth bullet point should be amended to include all commissioning control settings.

At this point MS left the meeting.

DC also suggested to add a line 'confirmation of means by which the customer will receive building regulations compliance'.



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The SMG voted in favour of approving the changes to MIS 3005, the HP Compliance Certificate, Handover Pack Information and MCS Heat Pump System Performance Estimate (Yes 8, Abstain, 1).

ACTION SMG 170125-07: CS to raise amending the MCS and MIS documents from DECC to BEIS.
Post-meeting note: CS proposes that a pragmatic solution would be to update the BEIS details if the publication date is after the completion of novation.

At this point NS left the meeting.

Planning Standard Representative

Due to time constraints this item was not discussed.

Solar PV Working Group Representative

Due to time constraints this item was not discussed.

5. Recommissioning

GR explained the issue of recommissioning and that the MCS website currently states that another MCS Contractor can recommission a system and raise a certificate which has been installed by a non MCS Contractor (e.g. a company that may have been MCS in the past but not at the time of commissioning), however, the customer may not be eligible for the incentives based on the legislation which refers to "First Commissioning" where the application for incentives must be made within 12 months of the first commissioning.

The SMG were asked their view on whether an MCS Contractor can comply with their scheme obligations to be totally responsible for all aspects of the installation, as per the relevant standards, if a system was recommissioned.

The SMG members raised several different examples of recommissioning scenarios including recommissioning rectified non-compliant installations and recommissioned systems due to delayed move in dates.

GT proposed differentiating 'commissioning' from set to work, however, attendees suggested this would not provide clarity in a number of scenarios.

At this point GH left the meeting.

GR noted that an item for discussion has been included on the agenda for the Certification Body forum scheduled to take place on 2nd February. DC added that the Certification Body forum or the MCS 001 WG may be the best committees to discuss this.



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GR asked the SMG whether in their view an MCS Contractor who is 'recommissioning' a system be confident that all the relevant requirements are met. The SMG agreed that it is possible but guidance as well as exacting conditions would be useful. The MCS Administrator agreed to raise recommissioning as an item for discussion at the 9th February MCS 001 WG meeting.

ACTION SMG 170125-08: MCS Administrator to raise recommissioning at the next MCS 001 WG meeting.

6. RECC Performance Estimates Project

Due to time constraints this item was not discussed.

7. EWR and Competence

GT raised the Experienced Workers Route (EWR) Pilot and the March 2017 competency criteria deadline. The criteria deadline is approaching and the EWR Pilot was due to end in December 2016 and appears to be ongoing, however, correspondence has not been circulated to address either point.

GR raised that the Management Panel has been reviewing EWR and competence criteria issues. With regards to EWR, the EWR Providers in the pilot need to be able to link to the correct courses. A report is being produced with a proposal on moving forward. GR confirmed that the Management Panel expect that the 2017 competence criteria deadline will need to be extended.

GT invited comments from the SMG members regarding the competence criteria deadline and EWR; the following points were raised:

- GH reiterated his concern raised at the 1st December SMG meeting that the EWR process appears to be arduous in his view
- JH suggested that there is a risk that the EWR Pilot may be setting up a bottleneck
- AH raised that Certification Bodies have been encouraging installers to undergo courses in order to meet the current deadline and may face issues in retracting previous statements if the deadline is extended. AH added that some installers will have left the scheme as a result of being advised that they need updated qualifications to maintain compliance with the scheme requirements
- HR noted that it is important for the industry for EWR to be an available route to demonstrating competence
- CS raised that the detail isn't available for the approved courses which has a knock-on effect on EWR Providers' ability to do their job
- DC suggested that it is not clear whether an installer who has demonstrated competence through EWR previously will be required to re-demonstrate competence after the March 2017 deadline. Dc added that it is urgent a communication be circulated to installers.



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- DP noted that the number of affected members is low but the impact on those few is significant. Certification Bodies require a clear, available EWR route to guide installers through particularly for those installers who previously held qualifications which have since expired
- GT raised that GTEC commissioned mystery shopping of the three EWR Providers. One Provider was helpful and another proposed not bothering with EWR until after the March 2017 deadline has passed. GT stressed the importance of circulating the communication as soon as possible.

GR noted that there are two parts forming the communication; competence and mapping, and the EWR Pilot. The Management Panel are considering extending the competence criteria deadline until January 2018 based on evidence.

DP raised that in 2013, Certification Bodies were told that under MCS, they could not assess competence via EWR and also rely on this same evidence to inform their certification decision. Other 17065 schemes such as the Competent Persons Scheme (CPS) do allow this and DP requested that MCS confirm with UKAS the reasoning behind this. It was agreed that the MCS Administrator should review correspondence regarding UKAS' position as part of ACTION SMG_170125-01.

The SMG heard that the Management Panel are producing communications including updates on both the competence criteria deadline and EWR Pilot closure extensions.

GT suggested that the SMG agree whether the date should be pushed back and the content of the communication as the SMG set the original competence criteria deadline. DC proposed that the SMG support the date to be provided by the MP and GT raised the following amended proposal:

The competence criteria deadline be pushed back and a communication be circulated to MCS Contractors by close of play Friday 3rd February. As long as a decision is taken prior to the completion of novation, the Management Panel will be responsible for agreeing the date and content of the communication.

The SMG voted in favour of the proposal (6 yes, 1 abstain).

ACTION SMG 170125-09: MCS Administrator to circulate a communication to all MCS Contractors regarding the extension of the competence criteria deadline and EWR Pilot extension by close of play 3rd February. Content and dates to be agreed by the Management Panel.

At this point, AH left the meeting.

8. MCS Change Process

Due to time constraints this item was not discussed.



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9. AOB

- CS raised installations where the plant is replaced and the circumstances where a new MCS certificate would be required.
 - The RHI regulations state that if an original plant is replaced in a system claiming RHI, the authority must be notified.
 - GR noted that eligible systems would receive the RHI rate applicable to the recommissioning date.
 - DP added that there are 10-15 certificates that have been withdrawn due to plant replacements where new certificates have been issued.

10. Date for next meetings:

The next SMG meeting will take place on the 21st March 2017.