



The Certification Mark for Onsite Sustainable Energy Technologies

MCS Standards Management Group Final Minutes

Date: 20th July 2016, 10:30 am – 13:30 pm

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)	MCS Steering Group	n/a	Consulting with Purpose
4	Graham Hazell (GH)	Heat Pumps	WG06	HPA
5	Dani Putney (DP)	MCS Contractor CBs	WG11	NICEIC
6	Margarita Vigrande-Ashe (MVA) <i>(part)</i>	Government	n/a	BEIS
7	John Holden (JH)	MCS Product CBs (Vice-chair)	n/a	BRE Global
8	Kevin Lowe (KL) <i>(dial in)</i>	Micro CHP	WG07, 08 and 09	British Gas
9	Louise Evans (LE)	MCS Administrator	n/a	Gemserv
10	Imogen Jamie (IJ)	MCS Administrator	n/a	Gemserv
Apologies				
1.	Chris Yates	MCS 001	WG11	Johnson and Starley
2.	Neil Sawers	Solar Thermal	WG04	Grant UK
3.	Danny Jones	Competence Criteria	n/a	Expertina
4.	Stuart Elmes	Roofing Issues	WG10	Viridian Solar
5.	Howard Roche	Metering (invitee with no voting rights until ToR updated)	n/a	Vital Energi
6.	Mark Lewitt	Biomass	WG05	KIWA

Agenda:

No.	Agenda Item	Lead by	Document Reference	Time
1	MCS Chair and Vice Chair	Chair/ MCS Administrator	Verbal	10:30
2	Welcome and approval of the agenda	Chair	Verbal	10:40
3	Minutes and actions from last meeting	Chair/ MCS Administrator	<ul style="list-style-type: none"> ➤ SMG_160720-03a - Minutes from previous meeting ➤ SMG_160720-03b - Action Log 	10:45
4	MCS scheme updates: <ul style="list-style-type: none"> • Novation 	MCS Administrator	Verbal update	11:00
5	Ownership of IP and Copyright of standards	Chair	SMG 021-004 - GR to confirm whether WGs own the MCS standards and, if so, whether a formal handover is required.	11:10
		Competence Criteria	EWR Pilot Update - Verbal	11:20



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6	MCS Working Group proposals and updates	Simplification sub-group	Verbal update	11:35
7	Funded proposals update	GR	Verbal update	11:45
8	Explanatory note on demonstration of competence	Chair	TBC	12:00
9	Performance Estimates – proposed next steps	MCS Administrator	Verbal	12:30
Lunch				12:30 – 30 mins
10	The Scope of MCS	JH	➤ SMG_160720-10a - The Scope of MCS	13:00
11	AOB	All	Verbal update	13:15
12	Dates of next meetings: <ul style="list-style-type: none"> • 28/09/2016 • 22/11/2016 • 25/01/2017 	MCS Administrator	Verbal update	13:30

9

10 1. MCS Chair and Vice Chair

11

12 GT raised concerns that he had not received information in advance of the meeting regarding the
13 nominated members, the MCS Administrator explained that the intention of the communication to
14 GT was to ascertain whether he was willing to accept the nomination, before proceeding with the
15 next stage of the election process.

16

17 The MCS Administrator clarified to the group that nominations have been received for GT, JH and GR
18 for chairmanship of the SMG. JH was the only nominee for vice-chairmanship of the SMG.

19

20 After nominations have been received, in line with the 'MCS SMG Terms of Reference', the next
21 steps are that a vote shall take place amongst the members of the SMG, and both the Chair and Vice
22 Chair shall be elected by simple majority.

23

24 The MCS Administrator fed back on behalf of members of the group that voting may need to align
25 with the establishment of the Stakeholder Advisory Group as members had mentioned they may
26 want to nominate themselves or others to Chair this group instead.

27

28 It was confirmed that the meeting is quorate and there was discussion concerning whether a vote
29 should take place to establish the Chair during this meeting or post-meeting via an electronic vote.
30 GT suggested that as it is quorate in the meeting and it is an agenda item, meeting attendees should
31 vote. The MCS Administrator raised the point that SMG members who are not in attendance are
32 unaware of who the nominated individuals are and therefore it may not be appropriate to vote at
33 present. GR agreed and mentioned that he would be uncomfortable proceeding with a vote on this
34 basis.

35

36 The group referred back to the 'MCS SMG Terms of Reference' for information on what steps should
37 be taken if an elected Chair is not present at the meeting. The ToR state that the secretariat will
38 direct the meeting and the members shall nominate and elect the positions of Chair and Vice Chair.

39



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40 The members agreed that the vote should take place in the meeting as it in an agenda item.

41

42 GR and JH chose to decline the nominations they had received for chairmanship leaving GT as the
43 only chair nominee and JH as the only vice-chair nominee. Therefore, a vote was no longer required
44 and GT was re-elected as Chair and JH as Vice-Chair of the SMG.

45

46 GR noted that he is very unhappy with the process. It was noted that the timing is unfortunate as the
47 last SMG meeting was cancelled due to insufficient agenda items and it is difficult to get a group
48 together which would have prompted the Chair election sooner. GH explained that to avoid this
49 situation in future, a clearer process should be followed.

50

51 **ACTION SMG 160720-01: MCS Administrator to circulate a note to the group confirming the SMG**
52 **Chair and Vice-Chair.**

53

54 2. Welcome and approval of the agenda

55 The Chair welcomed the SMG members to the meeting and noted apologies.

56

57 The following items were noted for discussion under AOB:

58

59 - GR requested that the constitution of MCS be discussed and sought evidence of consultation
60 with SMG members prior to the circulation of a letter signed by GT as Chair of the SMG to GR
61 in the capacity of Steering Group Chair. GT explained that a few SMG members had been
62 consulted with and that the MCS SMG position noted against GT's signature was only
63 recognising the position held within the SG. GT declined the item for further discussion under
64 AOB.

65 - DP requested that MCS 023 be discussed as it requires updates and the SMG are responsible
66 for this document.

67 - JH asked to discuss how MCS project funding will be covered going forward.

68 - JH also asked how the change of status of DECC might affect the operation of MCS.

69

70 MV addressed JH's query regarding DECC and potential implications for the Scheme. She explained
71 that DECC have joined with BIS and that operationally, no changes have occurred to the work DECC
72 were carrying out and MV has highlighted the importance of keeping on track with novation. At this
73 stage, there is no expected change of personnel.

74

75 3. Minutes and actions from the last meeting

76 The draft minutes from the 20th January SMG meeting were reviewed, amended and approved to be
77 an accurate reflection of the meeting, subject to some minor amendments:

78

79 Line 138 – Remove 'it was agreed that'.

80 Line 170 – Amend GT to GR.

81 Line 279 – Amend 'SMG' to 'MCS Administrator'.



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82 Line 343 – Include a Post-meeting note to clarify that the intention of the explanation provided was
83 not to restrict the Micro CHP market.

84

85 **ACTION SMG 160720-02: JH to provide a post-meeting note for line 343 of the previous meeting's**
86 **minutes for the MCS Administrator to include in the final version.**

87

88

89 **Action log and outstanding actions:**

90

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

92 ➤ **SMG 022-001:** The CAPs document is to be discussed at the Management Panel meeting
93 scheduled to take place on 22nd July.

94 ➤ **SMG 023-005:** The SMG project funding for future projects was discussed under AOB.

95 ➤ **SMG 023-007:** DP raised that remote certification, as described, would not meet the
96 requirements of clause 8 of MCS 001 which requires that a surveillance visit for the square
97 root of the total number of installations takes place. It was agreed that the MCS Administrator
98 should amend the wording of the action from remote certification to remote commissioning
99 for accuracy.

100 GH mentioned that it is challenging to identify if there is an issue through sub-contracting
101 arrangements and expressed concern that the square root surveillance visits requirement is
102 not being enforced.

103 GT suggested that the HP WG should raise this with evidence and invite MCS 001 to consider
104 whether the square root function is fit for purpose.

105 GR asked whether this is a CB forum issue. JH mentioned that clearer guidelines and rules on
106 how to address issues with ultimate responsibility is needed. MV also noted there is a private
107 office case of this nature raised with DECC.

108 GT explained that we can raise this with the different working groups and propose
109 amendments to the standards, however, there may be an underlying enforcement issue which
110 may require addressing.

111 ➤ **SMG 023-008:** This was discussed under agenda item 9.

112 ➤ **SMG 024-014:** The Change Process and updated ToR is to be discussed at the September SMG
113 meeting.

114 ➤ **SMG 024-007:** The action was updated to include the MCS Administrator who is currently
115 reviewing all the MCS 001 comments received and will circulate these to the sub-group for
116 review.

117 ➤ **SMG 029-011:** Action was closed regarding de-linking DRHI Regulations and MCS Standards
118 issue numbers as this was considered sub-delegation of powers by DECC to MCS and not
119 permitted under section 100 of the Energy Act 2008.

120

121 **ACTION SMG 160720-03: GH to raise remote commissioning issues with HP working group.**

122

123 **ACTION SMG 160720-04: MCS Administrator to establish the next publication date of RHI**
124 **Regulations to align standards.**

125



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126 4. Novation

127 The MCS Administrator informed the SMG that novation is expected to be completed in September.
128 GR noted that hopefully this will be sooner but we are currently waiting on a number of things to be
129 dealt with such as the IP which will determine where the rights will sit formally.

130

131 GT reaffirmed that the SMG's support for the proposed new structure was based on the understanding
132 that in the event that MCS the entity decides not to facilitate the Standards, they should be released
133 to the public, the British library was suggested as an example. GR explained that the IP for scheme
134 documents will sit with the charity. The charity is currently trying to determine who owns the
135 standards and whether they are owned as an Open Government Licence. The charity would not be
136 able to issue standards to an institution such as the British library because there is potential that they
137 could be used commercially.

138

139 MV raised that DECC have answered a parliamentary question from February requesting that MCS
140 standards remain publically available and accessible. GR stated that it may be that nobody owns them
141 but they are available and transparent.

142

143 JH questioned if they could be used commercially. GR explained that they couldn't because any
144 commercial organisation would have to determine that they own the standards before using them
145 commercially. GT expressed the will of the SMG has always been for the standards to be freely
146 available.

147

148 GH enquired as to why the standards are not owned by the Scheme. MV explained that it is more
149 complicated than that. There are three teams of lawyers working on the principle of open domain
150 and so far there has been no agreement on anything else.

151

152 DP shared the parliamentary question stating that it should be free for the use of industry but MCS
153 need to ensure that the standards can't be commercialised following novation.

154

155 Due diligence in financial and legal has almost been completed. Escrow money will be drawn into the
156 MCS beneficiary account. Further questions were raised in terms of tax implications, timescales for
157 funding release and who this will be released to. This will hopefully be agreed between parties
158 shortly.

159

160 DECC are happy with the will of the industry and are keen to complete novation as it is in everyone's
161 benefit to complete and live with the new arrangements.

162

163 GT raised the disbanding of the Steering Group. His understanding was that at the final Steering
164 Group meeting on 20th April, it was agreed there would be a simultaneous transfer to the
165 Stakeholder Advisory Group and Board of Directors, however, outside of the SMG meeting, a Trustee
166 suggested that the Steering Group has been disbanded.

167

168 GR informed the SMG that due to concern regarding governance, MCS have agreed with DECC to re-
169 establish the Management Panel, with the first conference call scheduled for Friday 22nd July to
170 provide some clarity in terms of the governance of the Scheme going forward. There is no intention



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171 at this point to hold another Steering Group meeting. The Director designates positions will then
172 become formalised following novation.

173

174 GT suggested this contradicts decisions taken at the last Steering Group meeting.

175

176 GR informed the group that there is to be a change of the SMG's ToR. GT questioned that if there is
177 no Steering Group, and no SMG update to the ToR, then the SMG would currently be autonomous.

178

179 MV explained that the Management Panel is an interim measure but asked for feedback from
180 attendees as to whether there is general disagreement regarding the status of the Steering Group.
181 GT's view is that disbanding of the group could not happen immediately for practical reasons.

182

183 JH suggested that the Steering Group should still exist until the minutes from the meeting, which
184 have not yet been circulated, have been reviewed and agreed to be an accurate reflection of the
185 meeting.

186

187 MV stated that it is not for DECC to decide as they were not in attendance at the Steering Group
188 meeting but wanted to know how can the group be assured that all the decisions taken have been
189 aligned should anything alter in the transitional period. GT answered by saying the Management
190 Panel should be drawn from the Steering Group to ensure it's constitutional. MV requested to see
191 the SMG ToR and sought the view of the Steering Group.

192

193 GT stated that the only thing that seemed to be clear was that the status of the SG was not clear and
194 that this needs to be clarified without delay.

195

196 **ACTION SMG 160720-05: MCS Administrator to circulate the SMG ToR to MV.**

197

198 **5. Ownership of IP and Copyright of Standards**

199 GR provided an update to the SMG on the ownership of IP and copyright of Standards in agenda
200 item 4.

201

202 *At this point KL left the meeting.*

203

204 **6. Working Group proposals and updates**

205 **Competence**

206

207 *At this point KS joined the meeting.*

208

209 Experienced Workers Route (EWR) Pilot

210

211 The MCS Administrator updated the group on the EWR pilot. A total of six EWR pilot provider
212 applicants expressed an interest in becoming a provider. As they were scattered across the country,



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213 Danny Jones conducted an initial telephone interview/discussion to seek clarification against their
214 submissions of interest. Following the initial round of discussions, two decided the pilot was not
215 appropriate for them and subsequently further face to face meetings took place with the remaining
216 four provider applicants. The applicants are from CBs, Training/ assessment centre and an SME.

217
218 The next stage will be to meet collectively to look at the various approaches each have discussed and
219 begin the process with the EWR applicants. It is still too early to draw any conclusion but from the four
220 potential providers at this stage, each have the core concept in mind of what the EWR must achieve
221 and how to approach the delivery model.

222
223 All four potential providers came across very passionately on the ability to have an EWR and seem at
224 this stage to be able to conduct the necessary evaluations/assessments to achieve a successful
225 outcome.

226
227 The next update will be provided via the MCS newsletter.

228
229 JH questioned the costs attributed to EWR and whether the fee agreed was £500. DP explained that
230 the Competence Criteria working group have not been informed of this.

231
232 *Post-meeting note:*

233 *Page 7 of the 'Experienced Workers Route Pilot Stage Eligibility Criteria' states that:*
234 *'Fees shall be capped by the provider at £500 per application'*

235 *For more information, please visit the link below:*

236 [http://www.experiencedworkersroute.com/wp-content/uploads/sites/3/2016/03/EWR-eligibility-](http://www.experiencedworkersroute.com/wp-content/uploads/sites/3/2016/03/EWR-eligibility-criteria-010116ptv1.pdf)
237 [criteria-010116ptv1.pdf](http://www.experiencedworkersroute.com/wp-content/uploads/sites/3/2016/03/EWR-eligibility-criteria-010116ptv1.pdf)

238
239 GT raised that some installers are confused about what they are required to do as part of the EWR.

240
241 GR ask why installers are unhappy about the absence of qualifications as the criteria is no different to
242 the requirements before. DP explained that CBs would not request a qualification to meet a non-
243 conformity but they may suggest a qualification as a possible means of addressing this and achieving
244 conformity.

245
246 It was noted that the Scheme could perhaps take an action to provide more information to the
247 industry. GR requested that any comments be provided to the Management Panel.

248
249 *At this point KS left the meeting.*

250
251 **ACTION SMG 160720-06: MCS Administrator to consider circulating a communication to MCS**
252 **installers clarifying EWR.**

253
254 **Simplification**

255
256 GH informed the SMG that no further Simplification meetings have taken place since 23rd February,
257 however, the Simplification sub-group are working towards ensuring that the MIS 3005 requirements
258 are implemented.



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259
260 The Simplification sub-group intend to reduce the robustness of the standard but instead make it
261 easier to understand.
262 GH mentioned that RECC seem to be requesting that installers provide customers with additional
263 information which appears to be making the process more confusing but they will continue working
264 together to try and improve installation outcomes.
265

266 **7. Funded Proposals Update**

267 GR explained that he has worked through the funding criteria draft contract with the MCS
268 Administrator. The changes are to be implemented and circulated as a final version once the IP
269 clause review is completed.
270

271 **8. Explanatory note on demonstration of competence**

272 This item was discussed under agenda item 6.
273

274 **9. Performance Estimates – proposed next steps**

275 The MCS Administrator explained that RECC presented their performance estimate findings to each
276 heat technology working group. Ultimately, RECC would like to see a formal consumer guide or grid
277 for the heat technology standards to give customers better information about the performance
278 forecasts they are given and allow for an effective comparison. Feedback received from the
279 Simplification sub-group is that a formal quote grid would cause more confusion.
280

281 The MCS Administrator suggested a one-page table of information would be more appropriate that
282 installers provide to the customer. The standards are designed to protect the consumer but it
283 appears they aren't being followed.
284

285 It was noted that the Biomass WG do not particularly want to drive changes so the proposals are
286 therefore focused on RECC and heat pumps. The next steps are for the Simplification sub-group to
287 review the standards and complete a Change Request for the SMG.
288

289 **ACTION SMG_160720-07: Simplification sub-group to develop a Change Request to amend MIS**
290 **3005 and the compliance certificate.**
291

292 **10. The Scope of MCS**

293 JH raised an issue with MCS complaints and whether they fall within or outside the scope of the
294 Scheme. GR asked if this is something that should be discussed by the Board. JH suggested that the
295 SMG can put questions to the Board that arise from these discussions.
296



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297 JH explained that over time complaints have become more complex and there are many grey areas
298 such as contractual disputes involving technical issues. Consumer codes only approach the complaint
299 investigation if it is a clear cut contractual issue. If not, then the complaint is referred to the CB as
300 technical which can take months to resolve and therefore affects the customer experience. GH
301 added that it eats into their warranty.

302
303 DP asked if the complaint investigation could happen concurrently. GR responded by saying that this
304 could result in a duplication of work. It was noted that Bonfield review are seeking a single entity
305 that overrides a consumer code which all the other schemes could sit underneath. The Scheme
306 should be mindful of proceeding in a different direction.

307
308 JH concluded that ultimately, the concern is the inability to respond quickly enough to a consumer
309 complaint.

310
311 The MCS Administrator mentioned that this could be discussed at the Consumer Codes WG scheduled
312 to take place on 28th July, following the CB forum meeting.

313
314 GH requested that when convened, JH should raise the issue with the SAG. An option to consider could
315 be to suspend installers' access to the MID to ensure installers resolve complaints faster.

316
317 **ACTION SMG 160720-08: MCS Administrator to raise the option of suspending installers' access to**
318 **the MID to ensure installers resolve complaints faster, with the SAG and the Board.**
319

320 11. AOB

- 321 - **MCS 023** – DP raised that the Green Deal bridging standard - MCS 023 Additional
322 Requirements for MCS Contractors to become Green Deal Authorised Issue 1.2 will require:
323 o An update to the PAS 2030: 2012: Improving the Energy Efficiency of Existing
324 Buildings Specification for Installation Process, Process Management and Service
325 Provision – as the 2014 version of the standard has been published;
326 o Significant amendments to its criteria which do not align with proposed
327 amendments to be included in the 2016 version expected to be published in
328 November 2016.

329 References to Green Deal Providers may be removed from PAS 2030 with a greater focus put
330 on the installer with regards to the customer relationship and legislation may refer to MCS
331 023 directly.

332
333 GT suggested that that MCS as a Scheme intend to continue to ensure the content of MCS
334 023 is up to date and relevant but will require more information on the scope of the changes
335 in order to align MCS 023 with the transitional period for PAS 2030.

336
337 **ACTION SMG 160720-09: MCS Administrator to add MCS 023 to the agenda of the**
338 **September SMG meeting.**



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339

340 - **MCS Project Funding** - GR explained that any project funding will depend on what is agreed
341 by the Scheme's budget and what is agreed by the Board. If there is public benefit rather than
342 consumer or industry benefit to a proposed project, there may be some scope for the Trustees
343 to fund the project.

344

345 - **Approach to prEN references** – The SMG established that CEN standards are the highest
346 ranking standards because they have to be adopted by the UK, however, if there is a prEN, it
347 will be up to the SMG to determine on a case by case basis whether the document is
348 substantial enough to reference.

349 **12. Date for next meetings:**

350 Future SMG meeting dates are as follows:

- 351 • 28th September 2016 send calendar invites
- 352 • 22nd November 2016 send calendar invites
- 353 • 25th January 2017 “
- 354 • 21st March 2017 “