



MCS Standards Management Group - Final Minutes

MCS Standards Management Group – Final Minutes

Date and time: Thursday 31st May 2018, 11:00 – 16:30

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

Attendees:

| No. | Representing |
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| 1. | Solar PV Working Group Representative (Chair) <i>(part)</i> |
| 2. | Product Certification Bodies Representative (Vice Chair) |
| 3. | Contractor Certification Bodies Representative |
| 4. | Heat Pumps Working Group Representative |
| 5. | MCS 010 and MCS 011 Working Group Representative |
| 6. | MCS 001 Working Group Representative |
| 7. | MCS Compliance Enforcement Officer <i>(part)</i> |
| 8. | BEIS (Observer) <i>(part)</i> |
| 9. | MCS Administrator |
| 10. | MCS Administrator |
| Apologies | |
| 1. | Biomass Working Group Representative |
| 2. | Heat Pumps Working Group Representative Alternate |
| 3. | Solar Thermal Working Group Representative |
| 4. | MCS 001 Working Group Representative Alternate |
| 5. | Competency Working Group Representative |
| 6. | MCSSCo Directors |

Agenda:

| No. | Agenda Item | | Paper Reference |
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| 1. | Welcome and approval of the agenda | Chair | Verbal |
| 2. | Minutes and actions from last meeting | Chair/Vice Chair/ MCS Administrator | <ul style="list-style-type: none"> ➤ SMG_180531-02a - Minutes from previous meeting ➤ SMG_180531-02b - Actions Log |
| 3. | MCS scheme updates: <ul style="list-style-type: none"> • Scheme structure • Steering Group • Stakeholder Advisory Group | Chair | <ul style="list-style-type: none"> ➤ Verbal |
| 4. | Working Group ToR | Contractor CBs Representative/ Heat Pump WG Representative | <ul style="list-style-type: none"> ➤ SMG_180531-04 – Working Group ToR (late paper) |
| 5. | Working Group Updates | MCS 001 WG Representative | <ul style="list-style-type: none"> ➤ Verbal |
| | | Competency WG Representative | <ul style="list-style-type: none"> ➤ SMG_180531-05a - MCS Competency Guidance – Revised Annex (latest draft) |
| | | Heat Pump WG/ Biomass WG Representative | <ul style="list-style-type: none"> ➤ SMG_180531-05b - PET/ Heat Technology |



MCS Standards Management Group - Final Minutes

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| | | | Installer standards disclaimer ➤ SMG_180531-05c – Eurovent Certita Certification Product Families (late paper) ➤ SMG_180531-05d - EHPA Keymark Product Families (late paper) |
| | Lunch 12 – 12.30 | | |
| | | Metering WG Representative – MCS Administrator | Verbal - Professional Indemnity and public liability insurance |
| | | Solar PV WG Representative | Verbal - Revised foreword |
| 6. | Compliance Certificate requirement | MCS Administrator | Verbal |
| 7. | Change Process | MCS Administrator | SMG_180531-07 - Review process and include CAPs |
| 8. | IP position | Chair | Verbal |
| 9. | AOB | All | Verbal |
| 10. | Date of next meeting: <ul style="list-style-type: none"> • 26.07.2018 • 27.09.2018 • 29.11.2018 • 31.01.2019 | | Verbal |

1. Welcome and approval of the Agenda

The Chair welcomed the attendees to the meeting and apologies were noted. The MCS Compliance and Enforcement Officer was introduced and welcomed by the Standards Management Group (SMG). It was explained that his priority would be on identifying and resolving compliance issues.

Following a request from the BEIS Representative, the SMG agreed to amend the agenda and swap agenda items 7 “Change Process” and 8 “IP position” and was MCS 010 added as an AOB. The agenda was later further amended following the attendance of BEIS and the Chair’s departure due to unforeseen circumstances.

2. Minutes and Actions from the last meeting

The minutes were reviewed and agreed to be an accurate reflection of the meeting subject to the below amendments:

- Page 6: Amendment from “MCS Charitable Foundation” to “MCSSCo”
- Page 8: Clarification of zero-value contract and commercial contract
- Page 9: Placement change of action *Action_SMG_180427-010*
- Page 10: Correction from “remote commissioning” to “remote **assessment**”



MCS Standards Management Group - Final Minutes

- Page 10: Inclusion of “...draft Each Home Courses framework...”
- Page 12: Amendment from “Renewable Heating Incentive (RHI) regulations” to “FiTs Order”
- Page 12: Removal of “and date”
- Page 13: Additional clarification to SMG decision regarding the MCS Competency Guidance
- Page 14: Addition of “MCS Administrator to share contact details” to *Action_SMG_180427-018*
- Correction of the spelling of “Inverter” throughout the document

An action was raised to provide the previous Management Panel Chair with a copy of the meeting minutes from the 27th April to provide further explanation around the removal of IDHEE from the MCS Competency Guidance Document.

Action SMG 180531-01: MCS Administrator to provide the previous Management Panel Chair with the SMG meeting minutes from 27th April to provide justification for the changes regarding the MCS Competency Guidance Document.

At this point, the Contractor Certification Bodies Representative joined the meeting.

The outstanding actions were reviewed, and the following updates were noted.

| Action: | Description: |
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| ACTION SMG_170921-04 | BEIS to provide an update to the SMG when available regarding intellectual property of the MCS Standards and guidance documents. |
| Update: An update will be provided during agenda item 8 “IP Position”. | |

| Action: | Description: |
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| ACTION SMG_170921-04 | MCS Administrator to include IP on the agenda for all Working Group meetings. |
| Update: The Directors are looking into including text about IP in the Working Group (WG) Terms of Reference (ToR) which will be raised with the respective Working Groups once completed. | |

| Action: | Description: |
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| Action_SMG_171122-16 | MCS Administrator to circulate the mCHP Add-On calculator and test methodology to the SMG for decision once the Enertek review has been completed. |
| Update: As the mCHP WG Chair involved with the Add-On calculator resigned, another WG member has since completed the necessary updates and circulated the calculator to Enertek for review. The MCS Administrator has requested a copy of the calculator from the WG member. | |



MCS Standards Management Group - Final Minutes

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| Action: | Description: |
| Action_SMG_180130-02 | MCS Administrator to follow up with the member of the MCS Roofing Issues WG who offered to make introductions to the relevant bodies and personnel in Ireland and request that the introductions be made. |
| Update: The member of the Roofing Issues WG who originally raised the action has been in communication with the Sustainable Energy Authority of Ireland (SEAI) and National Standards Authority of Ireland (NSAI). MCS Administrator will provide the suitable contact details to a MCSSCo Director and Chair of SMG when available. | |

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| Action: | Description: |
| Action_SMG_180427-01 | Vice Chair to submit details of typing errors on minutes to MCS Administrator to update and publish the previous minutes. |
| Update: This action has been completed. | |

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| Action: | Description: |
| Action_SMG_180427-02 | MCS Administrator to ask the MCSSCo Directors to provide a list of items which are being considered for the MID rebuild and to circulate this list to all WGs for comment. |
| Update: This has been raised with the MCS Service Company Directors and a list of items will be provided to the SMG once the results of the MID survey have been collected and discussed. | |

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| Action: | Description: |
| Action_SMG_180427-03 | SMG to request that the MCSSCo confirm BEIS' involvement with the Scheme and attendance at SMG meetings. |
| Update: BEIS intend to remain involved with the scheme as they also have a place on the Working Group Committees as per the ToR. | |

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| Action: | Description: |
| Action_SMG_180427-05 | The Chair to ask the Trustees and MCSSCo Directors for more information regarding when the Steering Group will be disbanded, and the communications required. |
| Update: The MCS Administrator explained that the Stakeholder Advisory Group (SAG) invitations had been circulated to previous members of the Steering Group, SMG members, Working Group (WG) Chairs, Certification Bodies and Consumer Codes. The SMG raised that invited representatives may represent multiple organisations which should be considered on the SAG membership list and raised with the MCSSCo Directors. | |

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| Action: | Description: |
| Action_SMG_180427-06 | MCS Administrator to send a communication to the previous Chair of the Management Panel to relay the updates to the WG ToRs agreed by the SMG. |
| Update: At this time, the draft minutes from the 27th April 2018 meeting have not been approved, therefore this action has not been completed. <i>Post meeting note: Following the meeting, the minutes from 27th April were published on the MCS Website</i> | |



MCS Standards Management Group - Final Minutes

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| Action: | Description: |
| Action_SMG_180427-07 | The MCS Contractor CB Representative to draft changes to the WG ToR which will then be reviewed by the Heat Pump Working Group Representative within 5 WDs. Once reviewed the MCS Administrator will then circulate the amended ToR to the SMG for electronic vote. |
| Update: This action was closed as the MCS Contractor CB Representative drafted changes which will be discussed under agenda item 4 "Working Group ToR". | |

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| Action: | Description: |
| Action_SMG_180427-08 | The MCS 001 Working Group Representative to amend the proposed complaint text for MCS 001-1 to state that responsibility of the system starts from the date of commissioning. |
| Update: This action will be discussed during the next MCS 001 WG meeting. | |

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| Action: | Description: |
| Action_SMG_180427-09 | The MCS 001 WG to apply changes to MGD 001 electronically and send to the SMG for electronic vote by the 26th June. |
| Update: The changes to MGD 001 have been drafted and circulated to the MCS 001 WG for comment by the 1 st June. Following the collection of the comments the changes will be submitted to the SMG for voting before the Assignment of Rights (AoR) comes into effect. | |

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| Action: | Description: |
| Action_SMG_180427-010 | MCS Administrator to circulate an email to inform all MCS WGs of the proposed removal of the subcontracting text in MIS documents and proposed replacement text in MCS 001. |
| Update: This action is subject to the completion of <i>Action_SMG_180427-08</i> , though it has been raised at several WG meetings since the last SMG meeting. | |

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| Action: | Description: |
| Action_SMG_180427-011 | MCS Administrator to request the MCS 001 WG add clarification of QMS via annual return application for larger companies i.e. Umbrella schemes, in the changes to MCS 001. |
| Update: This action is ongoing and will be discussed at the next MCS 001 WG meeting. | |

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| Action: | Description: |
| Action_SMG_180427-012 | MCS Administrator to raise bespoke system text with the Solar PV WG and raise concerns about justifying that no MCS 012 kits are available. |
| Update: This action is ongoing and will be discussed at the next MCS Solar PV WG meeting. | |

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| Action: | Description: |
| Action_SMG_180427-013 | MCS Administrator to raise the wording for Invertor sizing with the MCS Solar PV WG. |
| Update: This action is ongoing and will be discussed at the next MCS Solar PV WG meeting. | |



MCS Standards Management Group - Final Minutes

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| Action: | Description: |
| Action_SMG_180427-014 | MCS Administrator to feedback to the Solar PV WG that references to G83/1 and BS 7671 require updating in MIS 3002. |
| Update: This action is ongoing and will be discussed at the next MCS Solar PV WG meeting. | |

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| Action: | Description: |
| Action_SMG_180427-015 | MCS Administrator to ask the MCS Solar PV WG to review the external references in MCS 005. |
| Update: An update will be provided during agenda item 5 "Working Group Update". | |

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| Action: | Description: |
| Action_SMG_180427-016 | Competency WG to discuss the potential for MCS to map courses against the Scheme criteria and to provide a training and materials package, which could then be raised with the MCSSCo Directors. |
| Update: This action is ongoing and will be discussed at the next MCS Competency WG meeting. | |

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| Action: | Description: |
| Action_SMG_180427-018 | The Chair and the BEIS Representative to discuss funding of the battery storage research project offline. |
| Update: This action is ongoing and the MCS Administrator agreed to provide the Chair with the contact details for the BEIS Representative on battery storage subject to their approval. | |

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| Action: | Description: |
| Action_SMG_180427-019 | MCS Administrator to contact the MCSSCo Directors regarding the expansion of the scope of the Scheme to include battery storage. |
| Update: The MCSSCo Directors are aware of the proposal and the MCS Administrator agreed to follow up on the next steps for developing the business case as agreed at the last Steering Group meeting. | |

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| Action: | Description: |
| Action_SMG_180427-020 | The Chair and the MCS 001 WG Representative to follow up with IET about the battery storage standard being discussed at the 8th May IET meeting. |
| Update: The IET (Institution of Engineering and Technology) would like a representative from MCS to attend the next meeting. The SMG recommended that the Chair attend and requested that this be raised with the MCSSCo Directors. | |
| The SMG continued that if battery storage was included within the scope of MCS, there could be an MCS Installer Standard and potentially a product standard and it was also noted that battery storage was already included in the scope of RECC and HEIS. | |

Action SMG 180531-02: MCS Administrator to ask the MCSSCo Directors about the Stakeholder Advisory Group membership list and the representation of organisations.

Post meeting note: This action was completed during the meeting and the MCSSCo Directors agreed that the current SAG membership list should remain the same due to the venue capacity, though agreed to develop an alternative list should there be several members unable to attend the meeting.



MCS Standards Management Group - Final Minutes

Action SMG 180531-03: Chair to discuss MCS representation at IET with the MCSSCo Directors (CR).

3. MCS scheme updates

Scheme structure

The MCS Administrator presented the amended scheme structure diagram available on the MCS website and advised that the Financial Year 18/19 MCS budget has been set and a budget has not been included for future SMG funded projects which have not previously been approved. The MCS Charitable Foundation are expected to communicate a process for applications for project funding in due course.

The SMG noted that due to the change in scheme structure, the SMG Terms of Reference (ToR) will need to be updated to clarify who the SMG reports to and who the scheme authority is, including ownership of scheme documents. It was explained that the Open Government Licence for scheme documents has been assigned to the MCS Charitable Foundation, who have then licensed the documents back to the MCSSCo.

The SMG then discussed the appropriate escalation of strategic and liability issues which, prior to Novation, would be escalated to the MCS Steering Group. The MCS Administrator further advised that MCSSCo Directors are looking to modify the issue escalation route and trust that the SMG will manage any issues which are raised in accordance with the governance process and escalation to the Board will not be required unless strictly necessary.

The MCS Administrator continued that until a CEO for the Scheme is appointed, the Directors currently share this responsibility. Additionally, Gemserv will continue to be administrator for the scheme until the end of October when the contract is due to end, and that next steps will need to be agreed by the MCSSCo Directors.

The SMG requested an update on the Per Installation fee increase and were informed that the process was still with the Registrar of Marks.

Steering Group

This update was covered during the Scheme Structure update.

Stakeholder Advisory Group

The SMG discussed the possible attendees invited to join the SAG and asked to review the current SAG attendee list to see if it was appropriate.

The Heat Pump Representative questioned whether an organisation/Trading Association could allocate their invite to another organisation/Trading Association e.g. the Heat Pump Association to transfer their invite to the Ground Source Heat Pump Association. It was agreed that this would be included under Action_SMG_180531-01.

At this point, the MCS Compliance and Enforcement Officer left the meeting.



MCS Standards Management Group - Final Minutes

4. Working Group ToR

This agenda item was discussed after agenda item 5 “Working Group Updates” for the MCS Metering WG

The SMG reviewed the amended Working Group Terms of Reference (ToR) which the Contractor CBs Representative had updated to include a complaints process within a Working Group. While reviewing the document, the SMG made additional amendments to the ToR as follows:

- Update reference to scheme documents to “standards, **guidance documents or tools**” throughout the document
- General review for consistent terminology throughout the document
- Update “MCS Licensee” to “MCS Administrator” where appropriate throughout the document
- Page 2: Correct spelling error “tall” to “fall”
- Page 3: Removal of “Technical”
- Page 3: Amendment from “Installer” to “MCS Contractor”
- Page 3: Removal of sentence “The meeting will also be attended by the Secretariat”
- Page 3: General grammar update to “representatives”
- Page 4: Correction to “MCS Administrator” from “MCS Helpdesk” as the main point of contact
- Page 4: General grammar update to “can” instead of “either” and removal of “s”.
- Page 4: Inclusion of text to allow the Chair to share applications with the Working Group to help facilitate the decision of a request to join the Working Group.
- Page 4: Addition of sentence “Should further information be requested by a Working Group member, additional consideration time may be allocated at the discretion of the Chair.”
- Page 5: Minor amendments to under “Appointment”
- Page 5: Amendments to the responsibilities of the Chair regarding the meeting report
- Page 6: Replace “Working Group Representative” with “Working Group member”
- Page 6: Removal of timescale for draft agenda, final agenda and papers
- Page 6: Clarification of reasons a meeting could be cancelled
- Page 6: Removal of the SMG being informed of a meeting cancellation
- Page 6: Sentence amendment of the responsibility of the WG to recommend changes to scheme documents to the SMG
- Page 6: Inclusion of a process if there is a conflict of interest for the Chair or Vice-Chair.
- Page 7: Removal of heading “Appeals”
- Page 7: Spelling correction for “Representation”
- Page 7: Amendment of re-election process for SMG representatives
- Page 8: Update heading “**Resignations and De-appointments**”
- Page 8: Inclusion of Working Group member and Chair and Vice Chair in the Resignations and De-appointments process
- Page 8: Addition of an appeal process for de-appointment
- Page 9: Amendment of timeframe for circulation of the meeting report.
- Page 9: Removal of deadlines to publish meeting reports on the MCS website
- Page 10: Update to definitions including Certification Body, SMG and Licensee/ MCS Licensee



MCS Standards Management Group - Final Minutes

- Page 10: Removal of definitions including Manufacturer, Installer and Trade association/ Professional Body.
- Page 10: Addition of a definition for MCS Administrator.
- Page 11: Inclusion of “Attendee”
- Page 11: Amendment to the declaration cause
- Page 11: General grammar corrections
- Page 11: Removal of “endeavour to”
- Page 11: Amendment from “remit” to “objectives”
- Page 11: Addition of conflict of interest
- Page 11: Removal of “...that I may have with other members of the Group”

Action SMG 180531-04: MCS Administrator to review the WG ToR and amend the text to be consistent throughout.

Following a review of the definitions, it was agreed that the definition for “Standards Management Group” (SMG) should be used from the SMG ToR.

Action SMG 180531-05: MCS Administrator to include the SMG definitions from the SMG ToR into the WG ToR.

Alongside the agreed amendments, an action was raised to circulate the updated WG ToR to the SMG for an electronic vote.

Action SMG 180531-06: MCS Administrator to circulate the amended WG ToR to the SMG for an electronic vote.

The MCS 001 WG Representative noted that the MCS website states that the Licensee is Gemserv and needed to be updated to align with Novation which will be raised with the MCSSCo Directors.

Action SMG 180531-07: MCS Administrator to confirm the correct MCS Licensee information with the MCSSCo Directors on the MCS Website.

Post meeting note: The Licensee text has been updated to state that the MCS Company is responsible for the day-to-day running of the Scheme

5. Working Group Updates

MCS 001 WG Representative

The MCS 001 WG update was provided after the Heat Pump WG/Biomass WG update on the PET/Heat Technology Installer Standard disclaimer

The MCS 001 WG Representative has proposed amendments to MGD 001 to bring it in line with the Assignment of Rights (AoR) and a deadline for the MCS 001 WG to review the document was extended to Friday 1st June.



MCS Standards Management Group - Final Minutes

Competency WG Representative

Due to time constraints, this item was briefly discussed, and the SMG agreed that version 1.1 of the MCS Competency Guidance Document should be circulated to the SMG for electronic vote on the inclusion of the additional courses.

Action SMG 180531-08: MCS Administrator to circulate version 1.1 of the MCS Competency Guidance document to the SMG for an electronic vote.

Heat Pump WG/ Biomass WG Representative

This update was divided into two parts “PET/ Heat Technology Installer Standard disclaimer” and “MCS 007 – Product Definitions”.

- PET/ Heat Technology Installer Standard disclaimer

The PET/ Heat Technology Installer Standard disclaimer was discussed before agenda item 4 “Working Group ToR” and before Working Group updates from the MCS 001 WG and MCS Competency WG.

The Chair raised concerns that the Performance Estimate Template (PET) could be too focused on showing the financial incentives for a consumer rather than the energy produced in kilowatt hours (kWh), and the Heat Pump WG Representative confirmed HIES and RECC are concerned with the overall accuracy of the PET. The Chair suggested amending the PET to show the energy produced instead of financial incentives, which could remove the variation given in the financial incentive estimates. A financial estimate could be produced by using the PET energy estimates in the Consumer Code calculator. Consequentially, any overestimating of financial savings could be classed as mis-selling and could be reviewed by a Consumer Code.

The SMG considered how a consumer would compare estimates from MCS Contractors if financial estimates were removed from the PET, as its main function was to allow customers to easily compare estimates. The SMG also queried if the PET could present financial values if the disclaimer was improved.

Post meeting note: The MCS 010 and MCS 011 WG representative confirmed that there are no requirements to provide financial information in the MCS Installer Standards.

At this point, the Chair left the meeting due to unforeseen external circumstances. Therefore, the meeting was not quorate for the following discussion and the subsequent agenda items listed below:

- Agenda item 4 “Working Group ToR”,
- Agenda item 5 “Working Group Update”
 - “MCS 001 WG update”
 - “MCS Competency WG update”
 - “Heat Pump WG and Biomass WG update – Product Family definition”
 - “Metering WG update”
 - “Solar PV WG update”
- Agenda item 6 “Compliance Certificate requirement”



MCS Standards Management Group - Final Minutes

- *Agenda item 7 “Change Process”*
- *Agenda item 8 “IP position”*
- *Agenda item 9 “AOB”*

The remaining members agreed to make recommendations to the SMG for electronic vote post meeting.

The Heat Pump WG Representative maintained that the disclaimer should be updated, noting that it currently only references climate variability, but should include a list of other factors which may affect the system’s performance. The SMG members present agreed that the disclaimer needs to be reviewed and should cover any variation in financial estimates given. Once agreed, the disclaimer could be used as an overall disclaimer for the scheme on a short-term basis, until an arrangement can be reached with the Consumer Codes regarding the estimate’s financial elements.

Post meeting note: The MCS 010 and MCS 011 WG Representative noted after the meeting that the disclaimer is referenced in MIS 3005 v5.0 Clause 4.3.3 and enquired if the standard would have to be amended as well.

After assessing the current SCoP definition included in the PET, the Heat Pump WG Representative suggested that could also be included in the disclaimer.

The SMG members present agreed the following amendments to the disclaimer and the SCoP definitions:

- Rearrange the order of the paragraphs.
- Additional text to state that the PET is a single example of what the system could produce however in reality the experience has been that the system will produce a lower amount of energy.
- Replace “value” with “energy cost”
- Amend “does” to “may”
- Remove “therefore”
- Amend the SCoP paragraph to be simpler
- Review and amend the SCoP definition on the PET which can be referenced in in the PET disclaimer to provide further information
- Include the PET disclaimer on the first page of the PET

Action SMG 180531-09: The Heat Pump WG Representative to revise the proposed PET disclaimer in accordance with SMG members feedback for resubmission to the SMG.

Once the disclaimer has been amended with the present SMG members recommendations, it will then be reviewed by the Heat Pump WG and then submitted to the SMG for approval.

Those present also noted that the scheme should engage with RECC and HIES regarding the financial aspect of the PET, though the next steps should be a standalone decision between Consumer Codes.

Action SMG 180531-010: The Heat Pump WG Representative to contact the Consumer Codes to discuss Consumer Codes providing financial estimates based on the energy output of the PET.



MCS Standards Management Group - Final Minutes

Those present recommended that a general disclaimer should be included in the interim, though production of specific technology disclaimers should be considered by the relevant WGs.

Recommendation 01: Heat technology Working Groups to consider technology specific performance estimate disclaimers.

Action SMG 180531-011: The MCS Administrator to include technology specific performance estimate disclaimers on the agenda of all heat technology WGs.

The MCS Administrator agreed to confirm the most appropriate way to engage with the Consumer Codes within the MCS budget for the FY.

Action SMG 180531-012: MCS Administrator to confirm the most appropriate way to engage with the Consumer Codes regarding the Performance Estimate disclaimers within the MCS budget for the FY.

- *MCS 007 – Product Family definition*

Product Family definition was discussed after agenda item 4 “Working Group ToR”.

The Heat Pump WG Representative summarised that the Heat Pump WG have been working on updating MCS 007. They have agreed to include a more detailed definition of requirements for testing based on product families using the definitions from Heat Pump Keymark and Eurovent Certita Certification, including a note stating that MCS Contractors must refer to latest version of the definitions.

The WG are currently awaiting proposed updates regarding the requirements for acoustic testing and the Vice Chair recommend that a deadline should be set for MCS 007 to include text on acoustic testing within MCS 007. If the deadline is not met, the related text should be removed from the document. Those present agreed that a recommendation should be made for the amended version of MCS 007 be circulated with or without the acoustic text 5 Working Days before the next SMG meeting on the 26th July 2018.

Recommendation 02: Heat Pump WG to submit a finalised version of MCS 007 with or without the revised acoustic text for review by the SMG 5 Working Days before the next SMG meeting (26th July 2018).

Metering WG Representative – MCS Administrator

This was discussed after agenda item 6 “Compliance Certificate requirement”

Though the Metering WG have a voting right on the SMG, no representative from the WG was present to give the update, therefore the MCS Administrator provided the update.

The Metering WG have raised concerns that consumers are often not provided with the Professional Indemnity (PI) and public liability (PL) insurance information from their MCS Contractor. Consumers can use this information if there is an issue with the MCS Contractor or the installation. The WG



MCS Standards Management Group - Final Minutes

acknowledge that a resolution for this was outside of their remit but have submitted a recommendation that the scheme should consider making it mandatory for MCS Contractors to provide this information. The Heat Pump Representative confirmed that the Heat Pump WG have also raised this concern.

The MCS Administrator then relayed an email from the Metering WG Chair providing further information on the scenario and explained that the concern was raised as CBs are unable to provide the public liability information to the consumer due to data protection when the Contractor is no longer a member of the scheme.

The MCS 001 WG Representative informed the SMG members present that PI and PL were at one point intended to be included within MCS 001 but was removed based on RECC's advice as this would be a duplication of information provided by RECC.

The SMG members present discussed the protection PI and PL offers, as PL gives consumers protection against damages and assistance if the complaint falls outside of the scope of the scheme, or if the consumer takes legal action against the Contractor. PL is required for members of a Consumer Code, although the minimum figure required varies with Consumer Codes.

The MCS 010 and MCS 011 WG representative commented that PI and PL are for business protection more than consumer protection. It provides the consumer with assurance that a mechanism in place to deal with any liabilities arising from complaints outside of the scheme, though it may not be necessary for the consumer to hold these details.

The majority of those present agreed with the principle of making PI and PL insurance a mandatory requirement for MCS Contractors and setting a minimum value.

Following this, those present made the recommendation to the SMG to set a minimum value of £2million for PL insurance. After a review of other scheme requirements for PI, the SMG members present agreed that a recommendation should be made to set a minimum value of £250,000, or to meet the client's requirements for Professional Indemnity. The level should be based on actual activities.

Recommendation 03: Have a mandatory requirement for MCS Contractors to have a minimum of £2 million for Public Liability insurance and a minimum of £250,000 for Professional Indemnity insurance.

It was noted that these figures were based on a review of other scheme requirements e.g. MHCLG, minimum technical competence document, where it also advises that an Installer should seek advice from a broker first, which the SMG members present agreed to include.

The BEIS Representative enquired if there would be any opposition from MCS Contractors. The Contractor CBs Representative suggested that this would be minimal as the MCS Contractor would already have to have PL insurance as a member of a Consumer Code. The Heat Pump Representative said that there would be opposition to PI.

The MCS 001 WG Representative agreed to draft text subject to a positive vote by the SMG on Recommendation 03 and suggested that any text should be included in MCS 001-1.



MCS Standards Management Group - Final Minutes

Action SMG 180531-013: MCS 001 WG Representative to provide requirement text for public liability and professional indemnity insurance pending the outcome of Recommendation 03.

At this point the BEIS representative left the meeting.

Solar PV WG Representative

This item was discussed after the product family discussion during agenda item 5 “Working Group Updates – Heat Pump WG/ Biomass WG Representative”

The MCS Administrator reiterated that the SMG had previously approved the proposed updates to MCS 005. Following this, the Solar PV WG have evaluated the foreword and agreed that it should be updated as it gives the impression that existing MCS certified products need to be re-certified against the latest version of MCS 005.

Those present agreed that the Solar PV WG Chair and MCS Administrator should update the foreword based on the WG’s comments and the Vice-Chair offered to assist with the amendments to the foreword if required.

Action SMG 180531-014: Vice-Chair to assist with the updates to the revised forward in MCS 005 if required by the Chair of the MCS Solar PV WG.

6. Compliance Certificate requirement

This item was discussed after agenda item 8 “IP Positions”.

The MCS Administrator explained that this agenda item was an outstanding item raised by the Management Panel Pre-Novation, which has since been reviewed by the MCSSCo Directors. The outcome of the Management Panel decision was that a MCS Certificate would remain valid if there was an error with the accompanying Compliance Certificate or if a Compliance Certificate was not uploaded and the Installer is no longer on the scheme. However, if the Compliance Certificate is missing or incorrect and the Installer is still certified, it is their responsibility to amend the Compliance Certificate.

Those present queried whether the Compliance Certificate is practical and necessary as it was raised prior to Novation by the Management Panel. Both CB Representatives thought that the Compliance Certificate is helpful as it can provide the Scheme with the original details of system. Those present agreed that the Compliance Certificate is a valuable document and should remain within the scheme.

7. Change Process

Due to time restrictions, this item was not discussed.



MCS Standards Management Group - Final Minutes

8. IP position

This item was discussed after a discussion on the Heat Pump WG/ Biomass WG update regarding PET/ Heat Technology Installer standards disclaimer

This agenda item was raised to clarify who owns the MCS scheme documents including standards, guidance documents and tools. This item was also discussed during agenda item 3 “MCS Scheme Update”. It was agreed that the actions on BEIS regarding IP could now be closed.

Prior to Novation, all MCS documents were owned by the Government, this excludes documents created outside of the scheme e.g. Guide to the Installation of Photovoltaic Systems and RenewableUK Small Wind Turbine Standard, which were on an Open Government Licence until the date of Novation. Once a document has been amended and published after the date of novation it will not be covered by the Open Government Licence.

The SMG members present raised a concern after Novation whether there was an obligation for the scheme to highlight on the MCS website which documents are on the Open Government licence. BEIS agreed to confirm whether this is necessary.

Action SMG 180531-015: BEIS to confirm if the scheme will need to highlight which documents are on the Open Government licence on the MCS website.

The Vice Chair commented that IP clauses in the first SMG funded project contract issued pre-Novation, will need to be updated post-Novation for future contracts.

9. AOB

Competency

The Contractor CBs Representative recommended that the SMG consider changes to the industry’s competencies including those published in the final report of The Independent Review of Building Regulations and Fire Safety changes by Dame Judith Hackitt as well as future changes to PAS 2030 particularly in relation to higher risk residential buildings. The MCS 001 WG Representative raised that CPS have excluded buildings with ≥ 18 metres in height from self-certification.

Recommendation 04: SMG to consider external competency developments particularly in relation to higher risk residential buildings.

MCS 010

Following amendments to MCS 010, the WG would like the document to go for consultation following a final round of comments. Those present agreed that a request for consultation will need to be submitted electronically.

Action SMG 180531-016: MCS 010 and MCS 011 WG to request to the SMG that MCS 010 goes for public consultation via an electronic vote.



MCS Standards Management Group - Final Minutes

10. Dates of the next meeting:

- 26.07.2018
- 27.09.2018
- 29.11.2018
- 31.01.2019