

**ACCOMMODATION PROVIDER: BILFINGER - EUROPA FACILITIES MANAGER
PROPERTY: WOOD LANE STUDIOS**

The accommodation provider applied for membership of the National Code. A verification visit was made on 30th March 2017. The verification report found substantial compliance of many Code requirements, but also found that a considerable number of Code requirements were not met.

It is clear that the reason for this is the organisational set up of this development. Time and again the report states, in connection with works needed: *Bilfinger to satisfy the requirement and provide evidence that they take sole responsibility for...* BUT Bilfinger cannot satisfy these requirements because another organisation is responsible.

The verification report included the comment: *Reassurance was given to the verifier that all three companies involved at the property worked closely together. Certainly, the operational areas managed directly by Bilfinger are at a very high standard, but the responsibilities required by the Code must be determined and agreed as soon as possible to enable membership of the Code to be considered.*

The report recommended that membership remain under consideration pending a further visit.

In response to this, Bilfinger requested that their application for membership be withdrawn.

Generally speaking, it is a condition of making an application for membership of the Code that once the Self Assessment Questionnaire has been submitted, the application cannot be withdrawn. Such an application is a serious commitment and it would not be right if any applicant could simply cancel their application following an adverse verification report.

It is my decision as Chair of the Complaints Tribunal that membership of the Code should be declined in this case. If the issues raised by the verification can be resolved in the future, it is open to Bilfinger to make a fresh application for membership.

**JOHN MARTIN
CHAIR OF THE COMPLAINTS TRIBUNAL**

25th April 2017