



Assessor Code of Practice

NatHERS for existing homes

Version: 1.0

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**Cataloguing data**

This publication (and any material sourced from it) should be attributed as: Assessor Code of Practice NatHERS for existing homes version 1.0, Department of Climate Change, Energy, the Environment and Water, Canberra, April. CC BY 4.0.

This publication is available at .

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Acknowledgement of Country

We acknowledge the Traditional Owners of Country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past and present.

A1. Purpose of this Code of Practice

This Code of Practice describes the key requirements with which assessors accredited to provide NatHERS for existing homes ratings must comply as a condition of maintaining accreditation. It ensures that NatHERS for existing homes accredited assessors act with an appropriate level of care, due diligence, and professionalism.

The NatHERS Administrator, either directly or through an appointed third party provider, is responsible for overseeing NatHERS for existing homes assessor compliance with this Code of Practice and may take action in response to contraventions of this Code.

The Code of Practice remains in force as amended by the NatHERS Administrator from time to time. NatHERS for existing homes accredited assessors must comply with the most current version of the Code of Practice for the duration of their accreditation. Changes will be communicated directly to accredited assessors and will be published on www.nathers.gov.au.

A2. Breaches of this Code of Practice

Breaches of this Code of Practice will be managed in accordance with the **NatHERS for existing homes Assessor Performance Management Policy**.

Assessor disputes about a decision made or action taken under the NatHERS for existing homes Assessor Performance Management Policy are handled under the **NatHERS Complaint Management Policy**.

A3. Related information

- NatHERS for existing homes Assessor Accreditation Requirements
- NatHERS for existing homes Assessor Performance Management Policy
- NatHERS Complaints Management Policy

A4. Accreditation Period

The accreditation period commences on the date accreditation is granted by the assessor accreditation service provider for a period of 12 months. To extend accreditation for a further 12 month period, assessors must meet the requirements set out in section A6 of this Code of Practice and demonstrate this before the last day of the current accreditation period.

Assessors may seek an extension of time from the assessor accreditation service provider to demonstrate their ability to meet the requirements. Extensions will only be granted where an assessor is able to demonstrate exceptional circumstances apply. Assessor accreditation service providers have sole discretion in determining whether an extension will be granted.

If the requirements for maintaining accreditation have not been met, and a written exemption has not been granted by the assessor accreditation service provider by the last day of the accreditation period, accreditation will automatically cease.

A5. General Responsibilities

NatHERS for existing homes assessors must:

- A5.1 act in good faith towards the NatHERS Administrator and third parties acting on its behalf, and conduct themselves in a manner that upholds the reputation and integrity of NatHERS and does not bring NatHERS, the NatHERS Administrator, or third parties acting on its behalf into disrepute.
- A5.2 operate in compliance with all applicable laws and regulations of their jurisdiction.
- A5.3 exercise due skill, care and diligence in the performance of all their duties.
- A5.4 not publish false or misleading information in relation to their NatHERS Assessments, the NatHERS Administrator or third parties acting on its behalf, or NatHERS in general.
- A5.5 not engage in conduct that seeks to dishonestly obtain a benefit from, or cause a loss to, the NatHERS Administrator, third parties acting on its behalf, or users of NatHERS ratings.
- A5.6 engage with householders in a respectful, professional, and ethical manner.
- A5.7 act in a manner that is consistent with all NatHERS for existing homes materials (available on the NatHERS website at www.nathers.gov.au) as amended from time to time, including but not limited to:
 - a) NatHERS for existing homes Technical Note
 - b) NatHERS for existing homes Software User Terms & Conditions
 - c) NatHERS Trade Mark Guidelines
 - d) this Code of Practice.
- A5.8 accept responsibility and liability for each NatHERS for existing homes assessment they complete, and not allow an unaccredited person to undertake any part of the assessment and rating process, and not reassign, delegate, or transfer responsibilities to any other party.
- A5.9 not assign or delegate their NatHERS for existing homes accreditation number or software access to any other person.
- A5.10 be responsible for ensuring that the data compiled and entered into NatHERS approved software to produce a NatHERS Certificate is:
 - a) collected consistently with the requirements of the NatHERS for existing homes Technical Note
 - b) an accurate representation of all characteristics relevant to the energy performance of the building being assessed; and
 - c) supported by evidence and other information in accordance with the requirements in the NatHERS for existing homes Technical Note, to enable verification in any subsequent monitoring or quality assurance process.
- A5.11 inform the assessor accreditation provider of any change in personal circumstances that might reasonably be considered as relevant to and having an effect on their accreditation. This includes changes:

- a) that could reasonably be considered to:
 - (i) give rise to an actual or perceived conflict of interest in their role as a NatHERS assessor for existing homes
 - (ii) impact their standing as a fit and proper person
 - b) to any accreditation or license to conduct residential or commercial building energy ratings granted by any other Commonwealth, state or territory scheme.
- A5.12 immediately comply with all requests and directions related to this Code of Practice made by the NatHERS Administrator or third parties acting on its behalf
- A5.13 not copy, alter, or allow another person to use their NatHERS for existing homes accreditation card
- A5.14 notify the NatHERS Administrator as soon as practicable if their NatHERS for existing homes accreditation card is lost, stolen, or used by another person
- A5.15 return their NatHERS for existing homes accreditation card to the assessor accreditation provider within 15 business days from:
- a) the date of request by the assessor accreditation provider

A6. Maintaining Accreditation

To maintain accreditation, NatHERS for existing homes assessors must:

- A6.1 maintain at all times, appropriate policies, procedures and other business systems as required to meet all obligations of accreditation and this Code of Practice.
- A6.2 hold and maintain valid insurance policies at all times while accredited and provide evidence of the same on an annual basis on or before the last date of their current accreditation period. Insurance policies required are:
- a) Public liability insurance covering the assessor for any death, injury, damage or loss to other persons arising from the carrying out of NatHERS ratings for existing homes. The assessor must maintain such insurance current for the duration of accreditation and for an amount of not less than ten (10) million dollars for any single occurrence.
 - b) Professional indemnity insurance covering the assessor for breaches of professional duty (whether owed in contract or otherwise) in carrying out NatHERS ratings for existing homes. The Assessor must maintain such insurance current for the duration of accreditation, and for an amount of not less than two (2) million dollars for any single occurrence.

Assessors must provide clear evidence that they have insurance in place that specifically covers them. This may mean a Certificate of insurance in their name, or evidence from their employer that they are covered by their employer's insurance. This evidence may need to comprise (a) the business' Certificate of insurance, and (b) confirmation that the assessor is insured under the business' certificate of insurance (this may take the form of a letter from their employer and must be on official company letterhead including the company name, registered office address, ABN (Australian Business Number) / ACN (Australian Company Number), and contact details).

Assessors are responsible for seeking advice from insurers as to whether 'run-off' insurance is required should they cease to be accredited, to meet any on-going obligations from previous assessments.

Assessors who are not covered by workers compensation insurance are responsible for seeking independent advice as to whether personal accident insurance should be obtained, and the level of cover required for carrying out a NatHERS rating for existing homes.

- A6.3 meet their Continued Professional Development ('CPD') obligations; a total of 12 CPD points in a 12-month period, with a minimum of 6 technical training points.
- a) Technical Training may include training:
 - on the NatHERS existing homes Technical Note,
 - in the use of NatHERS software for existing homes,
 - in ways to improve building envelope thermal potential and/or performance, or
 - on the efficiency of fixed appliances and the impact of on-site energy generation and storage.
 - b) other CPD activities may include:
 - mentoring
 - training in residential energy efficiency such as instruction in use of other residential energy efficiency software or assessment mechanisms (for example blower door testing)
 - workshops or seminars on relevant topics.
 - c) CPD points will be awarded on the basis of 1 point per hour of activity, up to a maximum of 3 points per single activity.
 - d) if more than 12 CPD points are obtained in a single accreditation period, up to 3 CPD points (in excess of the minimum 12 CPD points) may be treated as having been obtained in the following accreditation period.
 - e) if 12 CPD requirements cannot be obtained in a single accreditation period due to exceptional circumstances, the assessor may apply to the assessor accreditation service provider for an adjustment of their CPD requirements where the assessor provides evidence of the exceptional circumstances and meets all other requirements to maintain accreditation.
 - f) an activity may only attract CPD points where the assessor accreditation provider has agreed to the allocation of CPD points in advance of the activity having occurred, and where evidence is provided that the assessor attended the activity and successfully completed any related assessment.
- A6.4 complete a minimum of three NatHERS assessments of existing homes in each calendar year.

- a) if at least 3 assessments cannot be completed in a 12-month period, additional training or other performance improvement actions (in accordance with the Assessor Performance Management Policy) may be required to be undertaken. Assessors who do not complete 3 assessments in 3 consecutive 12-month periods may have their accreditation suspended or withdrawn.
- A6.5 complete all identified performance improvement actions within specified timeframes (or demonstrate appropriate progress towards completion where appropriate).
- A6.6 meet their ongoing obligations in regard to management of conflicts of interest.
- A6.7 not have a history of significant performance issues, as determined by the accreditation service provider or NatHERS Administrator.
- A6.8 not have any unacceptable complaints of serious misconduct, as determined by the assessor accreditation provider or NatHERS Administrator.
- A6.9 not have any change in circumstances that may reasonably impact their standing as a fit and proper person
- A6.10 complete and pass an annual Knowledge and Skills Assessment.

A7. Conflicts of Interest

NatHERS for existing homes assessors must:

- A7.1 declare any material personal interests to the assessor accreditation provider that may give rise to a conflict of interest, in accordance with the NatHERS for existing homes Assessor Personal Interests and Conflicts of Interest Policy.
- A7.2 record and manage any conflicts of interest in a manner that is approved by the assessor accreditation provider.
- A7.3 declare all relevant conflicts of interests to homeowners / tenants when conducting a NatHERS for existing homes assessment.
- A7.4 not conduct NatHERS for existing homes assessments or generate NatHERS for existing homes Home Energy Rating Certificates for:
 - a) any property in which they hold a financial interest
 - b) any person with whom they hold a close personal relationship (defined as a regular and ongoing association that is romantic, familial, or financial in nature).

A8. Complaints, Audit & Quality Assurance

NatHERS for existing homes assessors must:

- A8.1 retain records of activities undertaken as part of a NatHERS assessment of an existing home, as specified in the NatHERS for existing homes Technical Note.
- A8.2 provide upon request, any information or records relevant to a complaint, to the NatHERS Administrator or third parties acting on its behalf.

- A8.3 cooperate with and provide any information or records reasonably requested as part of any investigation, audit, or quality assurance process that may be conducted by the NatHERS Administrator, third parties acting on its behalf, or Software Providers.

A9. Performance Improvement Action

NatHERS for existing homes assessors must:

- A9.1 comply with the Assessor Performance Management Policy and complete all performance improvement actions assigned by the assessor accreditation provider or NatHERS Administrator, in accordance with the terms and timeframe set out by the assessor accreditation provider or NatHERS Administrator.
- A9.2 not participate in or undertake any part of a NatHERS for existing homes assessment during any suspension period imposed pending the completion of performance improvement action, unless otherwise agreed by the assessor accreditation service provider or NatHERS Administrator.

Non-compliance with performance improvement action may result in suspension or withdrawal of accreditation.

A10. Privacy & Data Protection

NatHERS for existing homes assessors must:

- A10.1 at all times, maintain appropriate business systems to manage personal information collected for the purpose of conducting a NatHERS for existing homes assessment, including policies and procedures to manage any privacy incidents, in accordance with the Australian Privacy Principles (*Privacy Act 1988* (Cth), Sch 1),
- A10.2 adhere to the Privacy Act 1988 (Cth), Australian Privacy Principles and all other relevant information, data, and privacy laws.
- A10.3 take all necessary steps to keep data and information relevant to their role as a NatHERS assessor private and confidential.
- A10.4 provide the client with a NatHERS for existing homes Client Information and Consent Form prior to conducting a NatHERS for existing homes assessment and obtain written consent to collect, use, share and store personal information.
- A10.5 if the dwelling is occupied by a tenant who is not the client, provide the tenant with a NatHERS for existing homes Client Information and Consent Form prior to conducting a NatHERS for existing homes assessment and obtain a signed copy of the form from the tenant.
- A10.6 provide a signed copy of the relevant NatHERS for existing homes Client Information and Consent Form to all parties providing consent, and if requested, to the assessor accreditation provider, NatHERS Administrator, Software Providers, or another third-party appointed to act on behalf of the NatHERS Administrator.
- A10.7 not share or allow access to any personal information collected as part of a NatHERS for existing homes assessment, except where the client has agreed to the disclosure, where otherwise authorised or required to do so under an Australian law or court/tribunal order

(including the Privacy Act 1988), or with the NatHERS Administrator or a person or business authorised to act on behalf of the NatHERS Administrator.

- A10.8 ensure personal information collected for the purposes of a NatHERS existing home assessment is stored securely, and that appropriate safeguards against the misuse, interference, loss or unauthorised access, modification or disclosure of personal information in their control are maintained at all times while accredited.
- A10.9 inform homeowners / tenants as soon as practicable if any personal information collected as part of a NatHERS assessment has been subject to a data breach.
- A10.10 agree that they will be liable for any claims for damages made, due to compromise of personal information as a result of their actions.

A11. Attending Private Dwellings

NatHERS for existing homes assessors must:

- A11.1 carry their NatHERS for existing homes accreditation card when attending a dwelling to conduct a NatHERS assessment and show their NatHERS for existing homes accreditation card to the client / occupant upon arrival, if the dwelling is occupied at the time of assessment.
- A11.2 not attend a private dwelling unless:
 - a) an appointment has been made and agreed to by all parties; and
 - b) if householders are in the home during the assessment, a person 15 years of age or over with capacity to consent is present and provides consent to enter the dwelling.
- A11.3 engage with occupants of the dwelling in a safe, respectful, professional, and ethical manner.

A12. Workplace Health & Safety

NatHERS for existing homes assessors:

- A12.1 are solely responsible for:
 - a) their own conduct
 - b) identifying all workplace health and safety laws relevant to the state or territory in which they conduct assessments
 - c) meeting all their responsibilities under relevant workplace health and safety laws and
 - d) identifying any and all workplace health and safety risks and managing any incidents that occur as part of undertaking a NatHERS for existing homes assessment.
- A12.2 must, at all times, maintain appropriate systems of safe work, including policies and procedures for managing workplace health and safety incidents and emergencies that could occur during an existing home assessment.
- A12.3 must advise the assessor accreditation provider within **5 working days** of any enforceable undertaking entered into or regulatory action taken against them by an Australian work health and safety regulator.

A13. Trade Marks

NatHERS for existing homes assessors:

- A13.1 must adhere to the NatHERS Trade Mark Guidelines
- A13.2 may only use the following NatHERS trademarks:
 - a) 1486221: Logo image
 - b) 1646672: Scheme name “Nationwide House Energy Rating Scheme”
- A13.3 must only use the Home Energy Rating Certificate and rating graphic as part of an accredited NatHERS assessment
- A13.4 may only use NatHERS Trade Marks in their capacity as a NatHERS for existing homes assessor.