



# Assessor Conflict of Interest Policy

## NatHERS for existing homes

Version 1.0

OFFICIAL  
Assessor Conflict of Interest Policy

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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.

# At a glance: Conflicts of Interest

This policy outlines the types of personal interests that Nationwide House Energy Rating Scheme (NatHERS) for existing homes assessors (assessors) must declare, and how they must manage conflicts of interest.

**A personal interest** is anything that can influence an assessor when producing a rating or providing advice.

**A conflict of interest** is a circumstance where an assessor holds a personal or business interest that may influence, or be perceived by a reasonable person to influence, any part of a NatHERS assessment.

## Declare personal interests during initial accreditation, and then update annually

Personal interests need to be declared as part of your initial application to become an assessor. Thereafter, you must declare personal interests to your assessor accreditation service provider annually to maintain accreditation.

As part of the personal interest declaration, you must propose any steps you will take to manage circumstances that could conflict with your personal interests.

If the Assessor accreditation service provider believes the proposed steps are not sufficient to manage potential conflicts, you will be provided the opportunity to review and update your declaration with additional measures. The Assessor accreditation service provider may refuse to grant accreditation if agreement on how potential conflicts of interests should be managed cannot be reached.

A **Declaration of Interests form** is provided in Appendix A to declare personal interests and management strategies.

## Declare any conflicts of interest to clients before starting the assessment

Declare any relevant conflicts of interest to the client before conducting an assessment. Clearly document the conflict using the **Client information and consent form** and as an input into the NatHERS software in the conflict of interest field. You must follow any conflicts of interest management strategies that are in place.

If in doubt, contact your Assessor accreditation service provider for advice on how to determine whether a conflict could exist.

## Declare new personal interests at the time that they arise

You must declare any new interests and proposed management strategies to the assessor accreditation service provider within 10 days of identifying the interest, using the **Declaration of Interests form** (Appendix A).

If you are completing an assessment before you have declared the new personal interest to the Assessor accreditation service provider and it represents a potential conflict of interest, you must still declare the conflict of interest to homeowners/ tenants using the **Client information and consent form**, apply appropriate strategies to manage the conflict and document the conflict in the user interface tool in the conflict-of-interest field.



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# 1 Purpose

This policy aims to assist Nationwide House Energy Rating Scheme (NatHERS) for existing homes accredited assessors (assessors) to meet their conflict of interest requirements.

As an assessor you must declare details of personal interests in connection with your role and take reasonable steps to avoid any conflict (actual or perceived) with those interests. Where a conflict cannot be avoided, you must take appropriate action to manage the conflict.

The **NatHERS for Existing Homes Assessor Code of Practice** states that an assessor must provide a personal interest declaration on an annual basis, and declare actual or perceived conflicts of interests as part of the assessment process.

This **NatHERS for Existing Homes Assessor Conflict of Interest Policy** outlines types of personal interests that assessors must declare and responsibilities for managing conflicts of interest as a condition of accreditation. Changes to policy are communicated to assessors via their assessor accreditation service provider and are published on [www.nathers.gov.au](http://www.nathers.gov.au). Assessors must comply with the policy for the duration of their accreditation.

## 1.1 Breaches of this Policy

Breaches of this policy 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**.

# 2 Principles

Whilst completing an assessment and when dealing with householders, assessors should make decisions in a fair and ethical manner, free from personal bias or hidden influences.

Our approach to managing conflicts of interest is:

### Be impartial:

Being impartial ensures that decisions are made objectively without favouritism or undue influence, maintaining trust and integrity in the process.

Decisions made during an assessment must be fully informed and based on best available information and evidence at the time.

### Be transparent:

Being transparent involves openly disclosing any potential conflicts and allowing for scrutiny and informed decision-making.

### Be accountable:

Being accountable means holding individuals responsible for their actions, ensuring they act in the best interests of all parties involved.

If in doubt, it is best practice to declare it to your assessor accreditation service provider.

## 3 Definitions

A personal interest is anything that can influence an assessor when producing a rating or providing advice. Personal interests can include direct interests, such as an assessor's own personal, family, professional or business activities. They can also include indirect interests, such as the personal, family, professional or business activities of individuals or groups with whom the assessor is, or was recently, closely associated.

Personal interests may be pecuniary (i.e. financial), which includes any actual, potential or perceived financial gain or loss. They may also be non-pecuniary, which includes any tendency toward favour or prejudice resulting from personal or family relationships, such as friendships, sporting, cultural or social activities.

Do you think you have a relevant personal interest?  
If in doubt, declare it to your assessor accreditation service provider.

A conflict of interest exists when it appears likely that an assessor could be influenced, or where it could be perceived by a reasonable person that an assessor may be influenced, by a personal interest in carrying out an assessment.

Conflicts of interest may be actual, perceived or potential:

**Actual:** where a direct conflict of interest exists between performing an assessment and existing private interests.

*Examples of actual conflicts of interest:*

- *Producing an assessment and rating for a property in which you, or a family member, hold a financial interest.*
- *Owning part of a business that sells goods or services that are recommended to upgrade the performance of a home during an assessment.*

**Perceived:** where it appears or could be perceived that private interests may improperly influence the performance of an assessment, whether or not that is actually the case.

*Examples of perceived conflicts of interest:*

- *Suggesting to a homeowner that they consider installing insulation, and you are friends with an insulation company owner.*
- *You are recommending several potential solar installers to the householder and one of the installers employs your sibling.*



**Potential:** when an assessor's personal interests could potentially influence their professional recommendations or actions.

*Examples of potential conflicts of interest:*

- *Your partner is a real estate agent at an agency that is requesting an assessment for a property, but your partner is not involved in the management of that property.*
- *A friend works as a financial services broker for a business that offers small scale home loan products in combination with the business also arranging for home energy assessments to be undertaken on properties.*

A conflict of interest can arise at any time, including situations where no previous conflict existed. As new information becomes known or as circumstances change that may affect personal interests, it is important to assess whether any new conflict of interest has arisen.

Your declaration to the assessor accreditation service provider must be revised and resubmitted whenever there is a change in circumstances (personal or work-related) that gives, or may give, rise to a new actual, potential or perceived conflict of interest.

## 4 Importance of declaring and managing interests

Assessors have obligations to declare personal interests (including interests held by a partner or dependants) that have a bearing, or may be perceived to have a bearing, on carrying out an assessment properly and impartially. You must implement appropriate strategies to manage any conflicts of interest, as required.

This enables the NatHERS Administrator and its delivery partners to ensure the integrity and effectiveness of the scheme while maintaining trust among stakeholders. It also protects the reputation of all assessors.

Declaring and managing conflicts of interests is important for:

- **Transparency:** It promotes openness in decision-making processes, helping to build trust among households and stakeholders.
- **Accountability:** It holds assessors responsible for their actions and ensures that they prioritise integrity over personal interests.
- **Fairness:** Ensures that all decisions are made impartially.
- **Reputation management:** It protects both personal and organisational reputations by demonstrating a commitment to ethical practices.
- **Conflict resolution:** Early declaration can facilitate effective management or mitigation of conflicts before they escalate.

By declaring and managing personal interests, you contribute to a culture of integrity and ethical behaviour.

# 5 Process to declare and manage conflicts of interest

## 5.1 With the Assessor Accreditation Service Provider: At accreditation and annually

### 5.1.1 Declaring interests

Personal interests need to be declared to the assessor accreditation service provider in the initial application to become an assessor. Thereafter, an assessor must declare personal interests to the assessor accreditation service provider annually to maintain accreditation, and when personal interest circumstances change.

The **Declaration of Interests form** in Appendix A must be used by assessors to declare personal interests.

Examples of a personal interest that could potentially influence decisions or actions may include:

- Financial interests, such as business interests or partnerships.
- Personal relationships, such as family members or friends owning or working in relevant organisations such as a solar panel installation business or insulation business.
- Employment, including any current or past employment with organisations that could impact your assessments.
- Memberships, including membership in professional organisations, clubs, or societies that could impact your assessment.

Declaring personal interests ensures all parties can reasonably review and assess any potential biases or influences on decision-making.

### 5.1.2 Management strategies

For each identified interest, you must consider what management strategies are required and detail proposed strategies in the **Declaration of Interests form** in Appendix A. The assessor accreditation service provider will advise whether the strategies are appropriate or whether any changes are required.

Depending on the nature of the conflict, management strategies could include (but are not limited to):

- Taking reasonable steps to restrict the extent to which the interest could compromise, or be seen to compromise, an assessor's impartiality when carrying out an assessment, including:
  - declaring the conflict to the householder
  - advising the householder of their rights to seek alternative quotes/providers other than those recommended by the assessor



- declaring to householders any commissions received from referrals, recommending an alternative assessor to complete assessments for family members or friends
- refraining from involvement in decisions that could be seen to be compromised by their personal interest.
- Declaring further financial or non-financial details.
- Refraining from carrying out an assessment where the conflict cannot be managed by the above steps.

If the assessor accreditation service provider believes the proposed steps are not sufficient to manage identified interests, they will inform you and specify the reasons they believe the steps are insufficient. You will be provided the opportunity to update and resubmit your declaration with additional measures in response to the information provided by the assessor accreditation service provider.

The assessor accreditation service provider may refuse to grant accreditation, or suspend or revoke your accreditation, if agreement on how conflicts of interests should be managed cannot be reached. You will be advised of the decision in writing.

Conflicts of interest do not have to be a serious problem. By maintaining open and honest communication between the assessor accreditation service provider and assessors, conflicts can be identified early and managed appropriately.

### 5.1.3 Reviews

If you disagree with a decision made by the assessor accreditation service provider regarding your declaration of interests, including if they refuse to grant you accreditation, you can request a review of the decision.

Your request must be sent to the assessor accreditation service provider within **30 business days** of the date you were notified of the decision. You must explain why you believe the original decision was wrong and provide any supporting information. A decision may be varied or revoked if you can demonstrate a reasonable argument that the original decision:

- was made without following the processes outlined in this policy
- did not consider, or misinterpreted, available information and evidence
- considered evidence that you did not submit without notifying you
- considered information that was not relevant
- would be considered by a reasonable person to be disproportional to the seriousness of the interest/s identified

The review will be undertaken by someone who was not the original decision maker. They will consider all the information and may decide to confirm, vary, or revoke the decision. If revoked, a fresh decision will be made.

The person reviewing the decision will tell you the outcome of the review, what steps were taken, and the reasons for their decision. You will also be advised of any external review options available to you.

**Where possible, internal reviews are completed within 30 business days of the request date.** This does not include time in which the person managing your review is waiting on more information from you.

## 5.2 With the household: During assessments

Before conducting an assessment, an assessor must consider any factors that might compromise the impartiality of the assessment. Questions to consider include:

- Do I have any personal (including financial) interests in this property or its outcomes?
- Do I have any relationships with the householder, or third parties involved in the property (e.g. tenants, property or real estate agents, investors)?
- Could any aspect of this assessment create the appearance of bias or favouritism?
- Will I be referring householders seeking upgrade products or services to businesses in which I hold a financial interest or indirect interest, such as to friends or family?

If the answer to any of these questions is 'yes' or 'possibly', a new conflict of interest may exist and must be declared to the assessor accreditation provider.

All relevant conflicts of interest and management strategies need to be declared to homeowners/tenants before starting the assessment and must be clearly documented in the **Client information and consent form**. When completing an assessment, the COI must also be declared in the user interface tool in the conflict-of-interest field so that it is visible on the Home Energy Rating Certificate.

The assessor must follow any required management strategies during the assessment.

Remember, a conflict of interest occurs when an assessor has personal interests that could improperly affect, or reasonably appear to affect, their decisions or actions while performing an assessment.

## 5.3 When a new interest arises outside of the accreditation or annual process

In accordance with the **NatHERS for Existing Homes Assessor Code of Practice**, assessors must evaluate situations regularly to determine if any personal circumstances have changed that could lead to a conflict of interest. If in doubt, the assessor accreditation service provider can provide advice on how to determine whether a conflict could exist in relation to the change in circumstances.

You must declare any new interests to the assessor accreditation service provider **within 10 days of identifying the conflict using the Declaration of Interests form** (Appendix A) and propose any required management strategies (see section 5.1).

If you complete an assessment before your updated **Declaration of Interest form** and management strategies are approved by the assessor accreditation service provider, you must apply the management strategies you are proposing in your updated declaration.

## 6 Record keeping

Conflict of interest declarations submitted to an assessor accreditation service provider will be retained by the assessor accreditation service provider for a minimum of 7 years and may be used by the assessor accreditation service provider or the NatHERS Administrator to confirm assessor compliance with obligations under the **NatHERS for Existing Homes Assessor Code of Practice**.

## 7 Privacy

We only use your personal information for the purposes it was collected, or otherwise in accordance with the Privacy Act.

Your personal information will not be shared or disclosed, other than as described in the Department of Climate Change, Energy, the Environment, and Water Privacy Policy or unless:

- you have consented
- the disclosure is authorised or required under Australian law or a court/tribunal order
- it is otherwise permitted under the Privacy Act.

All information provided for the purpose of accreditation, including personal and sensitive information, is managed in accordance with [NatHERS Privacy Policy](#).

The personal information we receive from you is maintained in a secure environment (in either electronic or hard copy form). Your personal information will not be released unless the law permits it, or you consent. You can find more information on when the law permits sharing of personal information on the [OAIC website](#).

We take reasonable steps to ensure your personal information is protected from misuse and loss from unauthorised access, modification, or disclosure. Personal information is destroyed or de-identified when no longer needed in accordance with the requirements of the *Archives Act 1983* (Cth).

## 8 Failure to declare or manage a conflict

If you fail to declare a conflict of interest or manage it appropriately, you may have to complete performance improvement action, or your accreditation may be suspended or cancelled.

By not declaring or managing a conflict of interest, you risk negatively impacting upon both your own and NatHERS' trust and credibility. This can harm relationships and undermine the integrity and reputation of NatHERS and your business.

Transparency is key; addressing conflicts upfront allows for appropriate management and minimises negative impacts. If in doubt, discuss your potential conflict with your assessor accreditation service provider.

## 9 Related information

- NatHERS for existing homes Assessor Accreditation Requirements
- NatHERS for existing homes Assessor Performance Management Policy
- NatHERS Complaints Management Policy
- NatHERS Assessor Code of Practice
- NatHERS for existing homes Client information and consent form

# Glossary

Term	Definition
<b>AASP</b>	The assessor accreditation service provider (AASP) is the entity that manages the accreditation of NatHERS for existing homes assessors.
<b>Accreditation</b>	The formal approval of an Assessor, by an AASP, as someone who is appropriately trained and skilled to conduct Assessments.
<b>Assessment</b>	The exercise and activities by which a NatHERS for existing homes assessor undertakes a NatHERS for existing homes assessment to produce a Home Energy Rating Certificate.
<b>Assessor</b>	A person accredited to perform NatHERS for existing homes assessments.
<b>Cancellation</b>	The cancelling of an assessor's accreditation, which means they may no longer conduct assessments.
<b>Conflict of interest</b>	A circumstance where an assessor holds a personal or business interest that may influence, or be perceived by a reasonable person to influence, any part of a NatHERS assessment.
<b>Home Energy Rating Certificate</b>	The certificate generated by NatHERS energy rating tools for an existing home assessment. A Home Energy Rating Certificate includes a Home Energy Rating, a Star Rating, as well as other key information including details on a home's emissions.
<b>NatHERS</b>	Nationwide House Energy Rating Scheme.
<b>NatHERS Administrator</b>	NatHERS is administered by the Australian Government on behalf of all states and territories. The role of NatHERS Administrator is a function of the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW), or any subsequent Australian Government department that assumes responsibility for residential energy efficiency.
<b>Personal information</b>	Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not. For example, personal information may include an individual's name, signature, address, phone number or date of birth.
<b>Sensitive information</b>	Shares the same meaning as 'sensitive information' as defined under section 6 of the Privacy Act 1988 (Cth).
<b>Suspension</b>	The temporary pausing of accreditation, preventing an assessor from conducting assessments or issuing certificates.

# Appendix A: Declaration of Interests Form

## Declaration of Interests Form

All relevant conflicts of interest and management strategies need to be declared to homeowners/ tenants before conducting an assessment and must be clearly documented in the Client information and consent form. A signed copy of the Client information and consent form must be held by the assessor. All conflicts of interest must also be declared in the user interface tool in the conflict-of-interest field and be visible on the Home Energy Rating Certificate.

NatHERS for existing homes assessors must:

- take reasonable steps to avoid any conflict of interest (actual or apparent)
- declare all material personal interests and propose management strategies to the NatHERS Administrator, for approval
- follow all management strategies required to manage a conflict of interest
- declare relevant conflicts of interest and management strategies to the householder and client for each assessment.

### Assessor declaration of personal interests

*Please list any personal interests which could influence, or could reasonably be seen to influence, the decisions you take or the advice you give. The types of interests and relationships that may need to be declared include (but aren't limited to) real estate investments, company directorships or partnerships, private business dealings, employment arrangements, or social or personal relationships that could or could be seen to impact a NatHERS existing homes assessment.*

*Please list details of the nature and extent of the personal interest and the relationship of that interest to your work as an assessor.*

*Please provide details of how you will manage any actual, perceived or potential conflict associated with this personal interest.*


**Privacy notice:** Your personal information is being collected and will be used for the purpose of identifying personal interests that could influence, or could be seen to influence, your decisions or the advice you give during an assessment. Your information will be handled in accordance with the [NatHERS Privacy Policy](#).

Assessor Signature		Date	
Assessor Surname		First name/s	
<b>For office use only</b>			
Approver Name		Date	