



Nationwide House Energy Rating Scheme

Protocol for Assessor Accrediting Organisations

March 2014

Disclaimer

This publication provides information on the requirements for being a NatHERS Assessor Accrediting Organisation and is provided on the understanding that the National Administrator, the State and Territory Governments and the Commonwealth (the Participating Bodies) are not providing professional advice.

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Foreword

The Nationwide House Energy Rating Scheme (NatHERS) was an initiative of the former Ministerial Council on Energy (MCE), which has been replaced by COAG's Council on Energy. NatHERS is overseen by the Energy Efficiency Working Group, a body which includes representatives of the Australian Government and state and territory energy and building authorities. The Commonwealth's Department of Industry, Innovation and Science is the National Administrator of NatHERS.

NatHERS was initiated to provide a standardised approach to rating the thermal performance of houses throughout Australia. NatHERS-accredited software has been developed to calculate the theoretical annual heating and cooling energy load on a house. It does this by modelling the effects of heat flow through the building fabric, taking into account factors such as the building's location, orientation, glazing, construction details and the impact of air movement on internal comfort conditions. The software attributes a star rating between zero and 10 to the house based on the estimated total annual energy load and the climate zone where the house is located.

NatHERS-accredited software may be used to comply with certain building regulations including the thermal performance provisions for residential buildings in the National Construction Code (NCC).

The success of NatHERS is contingent upon accurate, consistent and reliable ratings being achieved through the correct use of NatHERS software. Given the level of complexity of NatHERS software, it is important that those who use the software to assess the thermal performance of buildings are adequately trained in its use and have a minimum level of understanding of building construction, building thermal performance and the applicable building regulations. Assessors also need to work within a quality assurance framework that encourages and maintains a high standard of ratings.

An Assessor Accrediting Organisations (AAOs) Protocol has been developed to provide a national framework for the approval and operation of organisations that accredit users of NatHERS software for regulatory purposes. The protocol enables there to be a number of AAOs operating across state and territory jurisdictions.

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1. Scope

This Protocol describes the processes that are required to be implemented by organisations that are approved by the National Administrator to accredit NatHERS Assessors for regulatory purposes.

2. Definitions

Where used within this Protocol:

AAO means Assessor Accrediting Organisation, which is an organisation that accredits Assessors in accordance with this Protocol.

ABCB means the Australian Building Codes Board.

Assessment means a thermal performance simulation performed using NatHERS software of a residential building (NCC Class 1, 2, 4 and 10 buildings only) conducted by an Assessor for regulatory purposes.

Assessment Certificate means a certificate produced by an Assessor from the NatHERS software detailing key data from the assessment and relevant specifications for the residential building.

Assessor means a person accredited by an AAO to use NatHERS accredited software to estimate the thermal performance of buildings for regulatory purposes.

Benchmark Assessment means an assessment done by an Assessor of a standardised plan provided by the AAO or National Administrator where the rating result has already been calculated, to check the accuracy of the Assessor's rating.

Commonwealth means the Australian Government.

CPD means Continuing Professional Development which provides a mechanism for assessors to maintain and improve skills and knowledge.

Jurisdiction means the relevant state or territory government department or regulatory authority.

NatHERS means the Nationwide House Energy Rating Scheme.

NatHERS software means a thermal calculation method that is recognised by the Scheme as complying with the current version of the NatHERS Software Accreditation Protocol.

National Administrator means the part of the Commonwealth Department responsible for administering NatHERS on behalf of all governments, currently the Buildings and Community Energy Efficiency Branch of the Department of Industry, Innovation and Science.

NCC means the current version of the National Construction Code.

QA means the quality assurance process for checking whether Assessments have been done correctly in accordance with the NatHERS Technical Notes and any other requirements placed on Assessors by this Protocol.

Regulatory Mode means the operation of NatHERS software when completing an Assessment for achieving compliance with the NCC.

RTO means Registered Training Organisation as defined by the Australian Qualifications Framework.

Technical Notes means the procedures detailed in the NatHERS Technical Notes published on www.nathers.gov.au for entering a building's characteristics into NatHERS software in regulatory mode.

3. Assessor Accreditation

3.1 Assessor qualification

The Certificate IV in NatHERS Assessment is the only qualification approved for persons seeking accreditation with an AAO for the first time.

Assessors with a statement of attainment in the course in Building Thermal Performance Assessment (Residential) 91318NSW may continue their accreditation until 30 June 2015.

From 1 July 2015, all Assessors will be required to hold a Certificate IV in NatHERS Assessment to maintain their accreditation. Further information about the course can be found at www.training.gov.au.

3.2 Basis of accreditation

AAOs may only accredit Assessors based on:

- a. confirmation that the Assessor has completed the required qualification in accordance with section 3.1;
- b. confirmation of any current or previous accreditation with another AAO;
- c. agreement by the Assessor to the AAO's Code of Practice; and
- d. the Assessor's nomination of which software tools they will use.

AAOs may have additional requirements for Assessors which must be consistent with this Protocol.

AAOs must not accredit Assessors who have had their accreditation cancelled previously by an AAO as a disciplinary action, or Assessors who have withdrawn their accreditation prior to disciplinary action taking effect, without special consideration.

In the event that an Assessor wishes to have their accreditation reinstated following such cancellation or voluntary withdrawal, an AAO must seek permission from the National Administrator. The Assessor must first provide evidence to the AAO that:

- a. they have undergone appropriate remedial activity;
- b. will commit fully to the requirements of the AAO's code of conduct; and
- c. agree to have their work closely monitored for no less than 12 months.

3.3 Notice of accreditation

Upon satisfying the accreditation criteria in 3.2, the AAO must notify the Assessor in writing of their accreditation, and provide the Assessor with a unique accreditation number.

3.4 Multiple accreditation

Assessors may choose to be accredited with one or more AAOs (see Appendix A). For Assessors with multiple accreditations, AAOs must agree to:

- a. share with all AAOs with which the assessor is accredited, information relating to the assessor such as assessment volumes, the results of QA reviews, accreditation status, CPD compliance and insurance status;
- b. advise other AAOs within 10 working days if the assessor's accreditation is cancelled or voluntarily withdrawn prior to quality assurance or disciplinary action.

4. Quality Assurance system for Assessor services

An AAO must have a QA system in place that has been approved by the National Administrator to ensure Assessors conduct Assessments in an accurate, consistent and repeatable manner.

4.1 General requirements

The QA system must include, as a minimum, the establishment and implementation of:

- a. mechanisms to ensure that assessors use the most recent version of the NatHERS Technical Notes and most recent version of NatHERS Software in effect at the time of the assessment;
- b. an Assessor Code of Practice;
- c. ongoing technical support to Assessors;
- d. management, tracking and implementation of CPD opportunities;
- e. an Assessment monitoring, review and remedial program;
- f. a system for managing complaints about Assessors; and
- g. a disciplinary action policy.

Details of the QA system must be lodged with the National Administrator as part of the application to become an AAO, and maintained for currency.

4.2 NatHERS Technical Notes

NatHERS Technical Notes will be provided by the National Administrator to the AAO when released. The AAO will be required within 28 days, or other period set in consultation with the NatHERS Administrator, from the date of receipt to:

- a. implement any new or amended Technical Notes across its QA system; and
- b. advise their Assessors of the changes to the Technical Notes.

Reasonable notice, to be negotiated with the AAOs, regarding any changes to the Technical Notes and their implementation must be given to the AAOs and Assessors.

4.3 Assessor Code of Practice

AAOs are required to establish and implement an Assessor Code of Practice which, as a minimum, covers the points in Appendix A.

AAOs may include additional detail and other requirements in the Code of Practice, provided they are consistent with this Protocol.

AAOs must submit any changes to their Assessor Code of Practice to the National Administrator for approval, and the National Administrator will issue a letter to the AAO confirming their approval.

AAOs must ensure Assessors adhere to the AAO's Code of Practice to maintain the Assessor's accreditation.

Where there is an inconsistency between the AAO's Code of Practice and this Protocol, the Protocol shall prevail.

4.4 Assessor support

AAOs must ensure that the Assessors they accredit are provided with ongoing support, including advice in relation to accuracy, consistency and repeatability of Assessments and any changing requirements due to Technical Note updates and relevant building regulations, including any state or territory-specific requirements.

This service does not extend to advice on the operation of NatHERS software which is expected to be provided by the software developers and/or distributors.

Assessors must be able to access support services from the AAO via no less than email and telephone. Upon receipt of a request for support from an Assessor, AAOs must provide a response within two business days.

4.5 Continuing Professional Development (CPD)

AAOs must manage the CPD activities of Assessors that they have accredited. This should include:

- a. the distribution of regular electronic newsletters at appropriate intervals; and
- b. co-ordination of a professional development program for Assessors. For example this may include workshops and seminars on topics of interest, advanced training in specific areas of relevance to Assessors and/or Benchmark Assessments.

Professional development opportunities must be provided as requested by the National Administrator and at least once a year.

4.6 Quality assurance processes for Assessments¹

AAOs must undertake QA processes for Assessments lodged with the AAO to ensure:

- a. accuracy, consistency and repeatability of Assessments;
- b. Assessors are correctly applying the relevant building regulations, including any state or territory-specific requirements;
- c. Assessors are complying with the AAO's Code of Practice;
- d. Assessors are conducting Assessments in line with the most recent version of the NatHERS Technical Notes and using the most recent version of NatHERS Software in effect at the time of the assessment;
- e. three levels of QA are undertaken, each with a different frequency and scope as outlined in Table 1; and
- f. appropriate and timely remedial action is taken to improve the assessments of underperforming Assessors.

4.7 Requirements for quality assurance reviewers

QA reviews are to be carried out by persons with a high degree of competency and experience. Any Assessor may be a QA reviewer provided they do not have a conflict of interest with the Assessors that they are reviewing.

¹ The AAOs' Quality Assurance processes for Assessments are currently being reviewed by the National Administrator, which is expected to result in changes to the wording of relevant sections of the Protocol and Table 1. The currently accredited AAOs are able to continue their existing QA processes pending the outcome of the review.

Table 1: Quality Assurance requirements for Assessments

Description of quality assurance requirements	Annual quality assurance required	Action arising from quality assurance
Level 1: Review of information on Assessment Certificates*		
<ul style="list-style-type: none"> a. Check information of Assessment Certificates for consistency with standard practice for nominated construction or climate. b. Check information on Assessment Certificates for errors. c. Check all assessments for a minimum number of critical fields and the postcode/climate zone selection is correct (and any other vital field as agreed with the National Administrator). 	<p>AAO to apply a method and amount of data analysis as approved by the National Administrator when applying to become an AAO.</p>	<ul style="list-style-type: none"> a. Provide feedback as appropriate to Assessors, individually and generally. b. Escalate individual cases with serious concerns, and failures to have correct values for critical fields (point c. opposite), to Level 2.
Level 2: Quality assurance of key aspects of Assessments		
<ul style="list-style-type: none"> a. Further investigate serious errors revealed in Level 1 – check documentation as necessary. b. Check for correct documentation and regulatory compliance. Compare software output report with Assessment Certificate and/or house specification documentation. c. Conduct quality assurance checks focussing on different aspects of the assessments such as construction, insulation, glazing, etc. 	<ul style="list-style-type: none"> a. All cases escalated from Level 1; and b. 10% of all Assessors with a new selection of Assessors to be quality checked in the following year. 	<ul style="list-style-type: none"> a. Communication to the Assessor regarding the issue and the correct method. b. Disciplinary action as defined by the AAO if a serious breach occurs. c. Escalate serious breaches to Level 3.
Level 3: Complete software file, Assessor Certificate and documentation quality		
<ul style="list-style-type: none"> a. Further investigate serious errors revealed in Level 2 – check Certificates, software files and documentation. b. Check for correct documentation and regulatory compliance. Compare software file, Assessment Certificate and house specification documentation. Check variation between correct results and original assessments. Compare to target variation. 	<ul style="list-style-type: none"> a. All cases escalated from Level 2. b. 5% of all Assessors to be different Assessors than those subject to Level 2, with a new selection of Assessors to be quality checked in the following year. c. All cases where a rating may be of questionable accuracy, or there is apparent inconsistency in the processes used, or there is a suspected breach of the AAO code of professional practice or other suspected wrong-doing. 	<ul style="list-style-type: none"> a. Communication to the Assessor regarding the issue and the correct method. b. Disciplinary action as defined by the AAO if a serious breach occurs.
<p>*It is expected that the basic checks described for Level 1 will be carried out automatically for all assessments. If it is not conducted automatically it needs to be by a process approved by the National Administrator.</p>		

4.8 Remedial action

Remedial action is the action taken by an AAO to ensure assessors produce accurate, consistent and repeatable assessments for regulatory purposes.

AAOs must have policies and procedures, approved by the National Administrator, for taking remedial action in a timely manner to ensure underperforming Assessors meet the required standards. Remedial actions may include examinations, use of benchmark assessments, targeted CPD, mentoring, refresher training and/or retraining.

In the event that remedial action does not improve the quality of assessments an AAO has the option to suspend accreditation until they are satisfied that improvement can be demonstrated.

4.9 Disciplinary action

AAOs must have policies and procedures for taking disciplinary action against Assessors, if necessary, that are approved by the National Administrator.

AAOs must immediately suspend the accreditation of any Assessor who:

- a. refuses to participate or cooperate in the QA process;
- b. fails their QA review and subsequent remedial activity;
- c. produces assessments that do not comply with the AAO's branding, stamping and certification guidelines; or
- d. fails to comply with the requirements of AAO's Assessor Code of Practice;

pending an investigation of the Assessor's action and what further disciplinary action is warranted, which can include cancellation.

The National Administrator must be notified by an AAO when an Assessor's accreditation is cancelled or when an Assessor withdraws their accreditation prior to disciplinary action taking effect.

In the event an Assessor's accreditation is cancelled and the National Administrator has been notified, the National Administrator shall forward a copy of the notice to the jurisdictions.

4.10 Process for dealing with complaints

AAOs must establish a system for responding to complaints about Assessors. This includes a process for:

- a. logging complaints and actions taken to resolve them; and
- b. managing responses to complaints in a timely manner.

AAOs must notify the National Administrator in writing, within 10 business days, of any complaints which relate to issues that impact on Scheme integrity. For example, an AAO may become aware of systematic deficiencies, or a concentration of complaints associated with particular Assessors, at a level to cause concern that it is reasonably likely to be due to other factors that may not be random.

5. Public statements by AAOs

AAOs are able to make statements to their members or to the public regarding government decisions in relation to NatHERS policies or operations.

Factual statements should be sent to the National Administrator prior to publication for checking to ensure accuracy.

Statements containing opinion should indicate this clearly in the article and be provided to the National Administrator prior to publication.

6. Annual reports

AAOs must submit an annual report for the previous financial year (or from date of accreditation if during that year) to the National Administrator by 30 October each year.

Newly accredited AAOs may have the timing of their first annual report adjusted by the National Administrator.

The National Administrator will make available all annual reports to Jurisdictions for their review and comment.

The National Administrator may request the AAO to clarify issues and provide additional information on any aspect of the annual report.

6.1 Content of annual reports

As a minimum, annual reports submitted by an AAO must include each of the following:

- a. A statement of compliance with this Protocol, signed by a person with authority to act on behalf of the AAO.
- b. Organisation details
 - i. Provide an overview of structure and operations including staff and/or Board structure and membership;
 - ii. Note any changes to any processes required by this Protocol; and
 - iii. Provide a financial statement for the previous financial year audited according to the relevant Australian Accounting Standards.
- c. Quality Assurance
 - i. Provide a summary of the particular system design used by the AAO and how this meets requirements as per Table 1 of the Protocol;
 - ii. Provide details of the outcomes of QA requirements as per Table 1 of Protocol;
 - iii. Reviewers – Provide the names, qualifications and experience of reviewers of assessments undertaken under the Protocol, and provide a statement that they have no conflict of interest with the Assessors they review;
 - iv. Analysis – highlight and summarise problem areas and actions taken to improve assessments and manage risks; and
 - v. Provide recommendations, if desired, to the National Administrator for future improvements to the accuracy and consistency of NatHERS Assessments.
- d. Continuing Professional Development
 - i. Provide a statement on the CPD activities managed by the AAO and number of accredited Assessors who attended; and
 - ii. Provide a summary of the level of CPD achieved by all Assessors.
- e. A summary of the support services provided by the AAO, including how much and the type of support.

- f. A summary of complaints made about Assessors, including the type of complaint, severity and how it was resolved.
- g. A summary of remedial action undertaken by Assessors including action, type, length, outcome and assessor.
- h. A summary all disciplinary action undertaken including names, reason for the action, date and outcome of the action.
- i. Assessor details
 - i. Provide a summary of the Assessor demographics into categories including ratio by jurisdiction, number of assessments undertaken per assessor-or other demographic breakdown of relevance to the NatHERS Administrator;
 - ii. Include the number of Assessors accredited and the overall number of assessments undertaken through the AAO in the reporting year;
 - iii. Provide a list of the names and accreditation numbers of any Assessors who ceased being accredited during the year and the date and reason for the cessation;
 - iv. Provide a current list of the Assessors accredited including the following details about each Assessor:
 - a) Name;
 - b) Accreditation number;
 - c) Contact details;
 - d) Date of accreditation;
 - e) Which NatHERS software is used by the Assessor;
 - f) Whether they have multiple accreditation, and with which AAOs;
 - g) Date that Certificate IV was achieved; and
 - h) Date the last QA process was conducted on the Assessor.

7. Review of Assessor Accrediting Organisations

7.1 Investigation of AAO practices

The National Administrator may at any time decide to:

- a. conduct a review of any AAO procedure, policy and/or practice; or
- b. undertake audits of:
 - i. random Assessments;
 - ii. groups of Assessments done by particular Assessors;
 - iii. the records of the AAO in relation to the accreditation and activities of particular Assessors; or
 - iv. disciplinary actions taken by the AAO against particular Assessors.

Investigations may be undertaken by the National Administrator itself or a representative of the Administrator.

AAOs must comply with reasonable requests from the National Administrator for information required to undertake its investigations, and for the National Administrator to inspect records at the AAO's offices.

The AAO must cooperate in any Benchmark Assessment studies undertaken by the National Administrator in relation to its accredited Assessors.

7.2 Further advice

At any time the National Administrator may reasonably request that AAOs provide:

- a. evidence to demonstrate that the requirements of this Protocol are being adhered to; and
- b. summarised information, such as the number of accredited Assessors or the number of complaints.

7.3 Compliance

The National Administrator reserves the right to take action at any time to ensure that an AAO fully complies with this Protocol. This may include:

- a. applying conditions on the operations of the AAO; and
- b. the suspension or withdrawal of the approval of the organisation to be an AAO.

7.4 Withdrawal of AAO status

The National Administrator may withdraw recognition of an AAO's Accreditation if:

- a. its CPD policy and practice;
- b. its QA policy, practice, reports or risk analysis;
- c. its disciplinary actions; or
- d. anything else determined by the National Administrator;

are deemed to be unsatisfactory and not rectified in a timely manner.

In the event an AAO has its Accreditation withdrawn, or voluntarily withdraws from being an AAO, other AAOs must accept the accreditation of Assessors accredited with the former AAO at no cost to the Assessor with the exception of membership fees and required insurances.

8. Extension of Accreditation

The National Administrator will review an AAO at a reasonable time before its accreditation expires to determine whether its accreditation will be extended for a further period and with any conditions.

The National Administrator may consult with jurisdictions as necessary on reviews of AAOs.

9. Application to become an Assessor Accrediting Organisation

Only incorporated organisations can apply to become AAOs.

Applications must be submitted to the National Administrator in writing and include evidence to demonstrate the following:

- a. experience in providing member services to the building industry;
- b. the demonstrated availability of experienced Assessors in relation to the overarching competencies contained in the Certificate IV in NatHERS Assessment who will undertake the organisation's QA processes;
- c. how the organisation will address each of the requirements outlined in this Protocol;
- d. the organisation's Board, governance and management structure is capable of managing conflicts of interest that might impede the proper execution of accreditation activities;
- e. the organisation's ability to provide accreditation services across the Jurisdictions in which it is proposed to operate;

- f. the financial viability of the organisation for at least the period of accreditation; and
- g. the holding of an appropriate ongoing level of professional indemnity and public liability insurance cover.

The National Administrator may request further information from the organisation about its application.

The National Administrator may consult with Jurisdictions before making a decision with respect to an application.

Applicants will be notified in writing of the National Administrator's decision within three months from the date the application is received, or from when the National Administrator receives further information requested from the organisation.

Approval to operate as an AAO will be granted for a specified period of no more than three years, and may include conditions governing the scope of accreditation services that can be provided by that AAO.

Approved organisations will be given an initial provisional accreditation period of six months at which time the National Administrator will decide if full accreditation will be granted, based on the AAO's performance in establishing procedures for meeting the requirements of this Protocol.

The National Administrator will notify Jurisdictions, AAOs and relevant industry bodies about the determination of applications. The status of all AAOs will be listed on the NatHERS website.

AAOs may promote their status to the extent of the approval issued by the National Administrator.

10. Amendments of this Protocol

The National Administrator may make amendments to this Protocol at any time to ensure its currency and effectiveness. Amendments will be notified to jurisdictions, relevant industry bodies and on the NatHERS website.

The National Administrator will provide to AAOs a draft of proposed amendments for comment before finalising the amendments.

AAOs will be given reasonable time to make any necessary adjustments to maintain their accreditation.

Appendix A – Assessor Code of Practice

AAOs must include the following points in their Assessor Code of Practice. AAOs may include additional detail and other requirements in the Code of Practice, provided they are consistent with this Protocol.

To achieve and maintain their accreditation, Assessors must commit to:

- a. a high level of diligence and professionalism to ensure that their Assessments are as accurate as possible;
- b. operating at all times in compliance with all applicable laws;
- c. producing assessments in compliance with relevant building regulations, including any state or territory-specific requirements;
- d. not knowingly publishing false or misleading information about their accreditation or the assessments they have undertaken, their AAO or NatHERS;
- e. avoiding conflicts of interest with their clients for whom they do Assessments;
- f. applying the most recent version of the NatHERS Technical Notes and using the most recent version of NatHERS Software in effect at the time the assessment is completed;
- g. lodging all assessments conducted for regulatory purposes with the AAO to which they are accredited (also see multiple accreditation below);
- h. accepting responsibility and liability for each assessment that has been lodged with the AAO under their name, and not reassigning, delegating or transferring this responsibility to another assessor;
- i. retaining all records of their assessment activities including assessment data files, certificates, plans and specifications upon which the assessments are based for seven years after each assessment is completed, and ensuring that these records are retained during any change in employment;
- j. using the NatHERS logo only in accordance with the NatHERS Guidelines;
- k. maintaining professional indemnity and public liability insurance commensurate with the volume and scope of the work they undertake;
- l. submitting to any reviews and audits of their assessments required by the AAO or National Administrator, including providing access to all relevant documentation and being available to answer questions about their assessments;
- m. accepting the results of any reviews and audits and diligently undertaking any remedial action required by the AAO;
- n. participating in the system for dealing with complaints about Assessors maintained by the AAO and responding promptly, diligently and with courtesy to any complaints;
- o. meeting at least the minimum requirements of the AAO's CPD program;
- p. advising the AAO promptly of any change in their circumstances that may affect their accreditation;

- q. agreeing to the release to the National Administrator of any information in relation to their accreditation held by the AAO;

(For Assessors accredited with more than one AAO)

- r. notifying all AAOs with which they are accredited within 10 business days of obtaining accreditation with more than one AAO;
- s. agreeing to the AAOs sharing information about the Assessor in relation to their accreditation and their Assessments; and
- t. lodging all Assessments conducted for regulatory purposes with one or other of the AAOs to which they are accredited, in proportions agreed by all AAOs to which they are accredited.