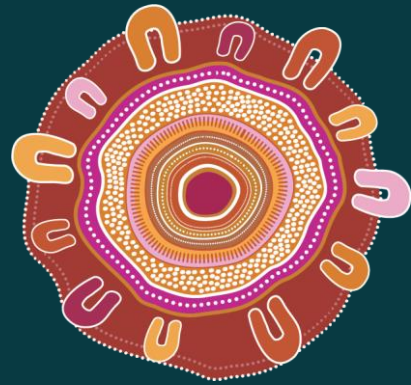


# NatHERS Expansion to existing homes Accreditation Requirements

Including Code of Practice and Complaints Management





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.

# Conflict of interest reminder

- All stakeholder group members should have submitted a conflict of interest declaration as part of joining one of our consultative groups.
- If any new (actual or perceived) conflict of interests arise or are likely to arise, including as part of this consultation, members must immediately notify the Department in writing.

# How to engage

**Place your question in the meeting chat function or use the 'Raise Hand' function to ask a question.**

We will try to answer as many questions as possible during the session, however, time may limit us addressing all questions. If we are unable to answer your question in the session, please add it to the chat function and we will respond after the session.



## Providing feedback

Visit [www.nathers.gov.au/expansion](http://www.nathers.gov.au/expansion) to download a response form

Submit completed responses by email to [admin@nathers.gov.au](mailto:admin@nathers.gov.au)

Responses close **5:00pm, Friday 30 August 2024**

# Future consultations:

Some elements referenced in the NatHERS for Existing Homes Assurance Strategy and accreditation process are still being developed and will be brought forward for consultation later in 2024 and early 2025.

**Accreditation policies** subject to endorsement of relevant elements

- **Assessor Conflict of Interest Policy**
- **Assessor Fit and Proper Person Checks Policy**
- **Assessor Performance Management Policy**
- **Householder surveys**

# Overview

# Addressing the design principles

**Principle 1:  
Supports program objectives**

A transparent, consistent, and reliable accreditation process promotes community and stakeholder confidence in the integrity of the scheme

**Principle 2:  
Fit-for-purpose**

Accreditation requirements have been designed in consideration of the potential future needs of industry and government e.g. disclosure frameworks, financial programs

**Principle 3:  
Assessments and ratings are accurate and reliable**

The proposed accreditation process ensures assessments and ratings are only produced by appropriately skilled assessors

**Principle 5:  
Avoids unintended outcomes**

Accreditation requirements ensure assessors are of good character when they enter the scheme, and maintain minimum standards of proficiency and integrity

**Principle 6:  
Supports scalability**

The proposed accreditation process has sufficient flexibility to enable different types of accreditation to support different assessor business models, and can scale to support a large volume of assessors in future

*Note: Principle 4, 'Time and cost of assessments is minimised through limiting tool data inputs and simplifying onsite data collection' is not applicable to accreditation and therefore is not addressed.*

**Principle 7:  
Is risk informed**

Accreditation requirements respond directly to key risks in the NatHERS Existing Homes risk register.

Assessor integrity and conduct risks

Software business continuity risks

Assessor services business continuity risks

Assessment quality risks

Privacy risks

**Principle 8:  
Timely**

The proposed requirements for initial accreditation of assessors are deliverable for launch by mid-2025. Improvements, refinements and additional options will be investigated and added over time following launch.

**Principle 9  
Efficient and sustainable administration**

The proposed process seeks to minimise the cost and resources required to what is necessary to ensure that assessments and ratings are reliable, accurate and trusted, and presents opportunities to leverage technology to minimise administrative turnaround time and costs.



# Accreditation Process

# Accreditation at launch

## For Launch

- ✓ Assessors accredited as individuals
- ✓ Assessors accredited for all purposes – data collection and assessment and certificate generation
- ✓ Use trial outcomes and feedback to better understand stakeholder needs of accreditation

## Post Launch

From mid-2025:

- ✓ Assess potential other options for accreditation and test against the design principles
- ✓ Undertake stakeholder engagement
- ✓ Implement agreed options

**Do you support assessors to be accredited for different purposes?  
What key issues should be considered in looking at different approaches?**

# Pre-application

Requirements for each stage of the accreditation process will be clearly communicated for applicants upfront.

## A no surprises policy

Publicly available policy statements on fit and proper person checks and declarations of material personal interests will be available so that applicants understand how they may be impacted by those processes prior to application.

## Leveraging the existing workforce

Recognising the practical skills and experience of the existing assessor workforce, training requirements for Residential Efficiency Scorecard, ACT Energy Efficiency Rating Disclosure Scheme and NatHERS for new homes assessors will be proposed.

The proposal for existing assessors will only require completion of bridging courses on software training, CPPCOM4002 Implement safe work practices in the property industry or equivalent, and NatHERS for existing homes training but will still need to meet all other requirements for accreditation.



# Pre-requisite training

Assessors will be required to demonstrate attainment of pre-requisite training in accordance with the **NatHERS for Existing Homes Skills and Training Strategy**.

Assessors may be eligible to seek Recognition of Prior Learning (RPL) for some or all the 7 units of competency under existing rules regulated by the Australian Skills and Qualifications Authority. The granting of RPL is a responsibility of Registered Training Organisations.

Accredited assessors will be required in the Code of Practice agreement to comply with all relevant Work Health and Safety laws within the jurisdictions they operate and be solely responsible for:

- their own conduct; and
- their responsibilities under relevant workplace health and safety laws.

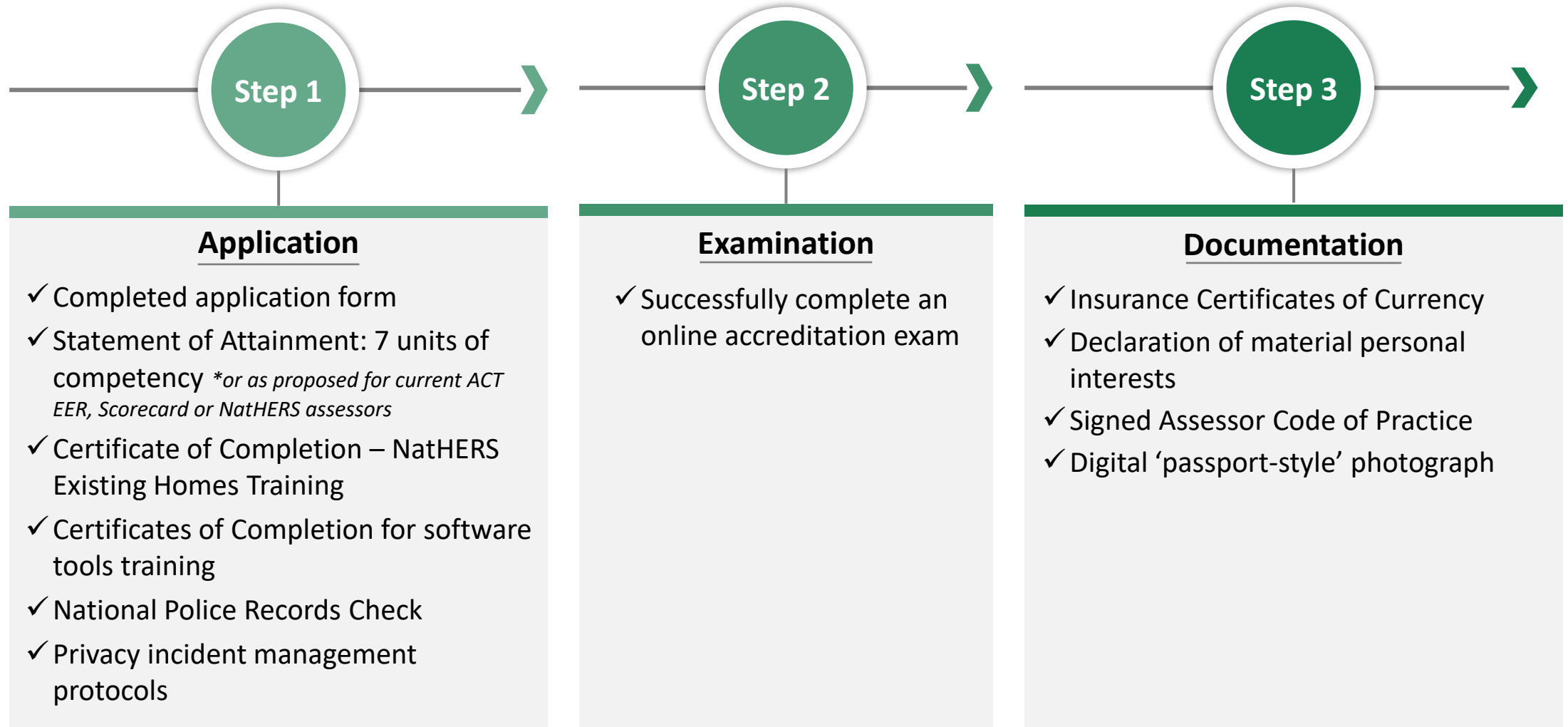
Training requirements include the unit of competency **Maintain Workplace Safety in the Property Industry**.

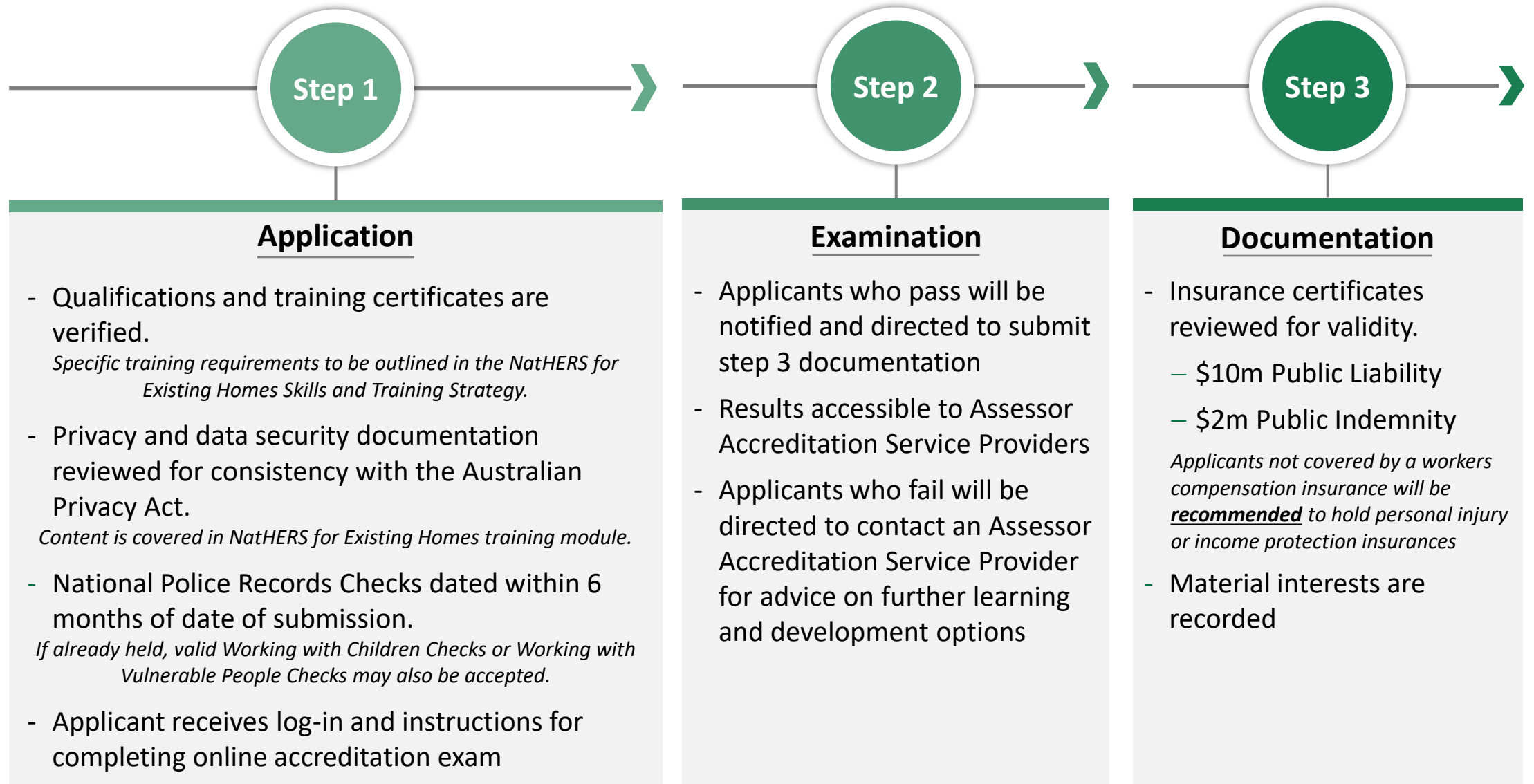
The Residential Efficiency Scorecard program requires applicants to demonstrate work health safety skills through the submission of an example Safe Work Method Statement.



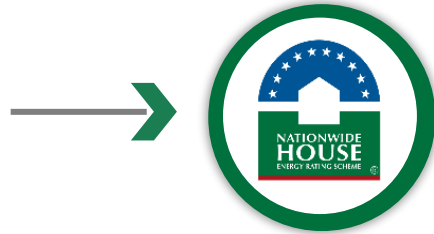
**Should accreditation require the submission of an example Safe Work Method Statement to confirm assessor work health safety competency?**

# Three steps to accreditation





# Approval



**Accreditation  
Granted**

- ✓ Requests for additional supporting information (where required)
- ✓ Written notification of outcome (including reasons for unapproved applications and how to request a review)
- ✓ Approved applications provided
  - ✓ **a letter of accreditation**
  - ✓ **an accreditation number**
  - ✓ **a NatHERS Accredited Assessor ID card**
- ✓ Accreditation details, including material interests and insurance expiry dates recorded in the assessor register

# Fit and proper person checks



# National Police Checks

## Why is it recommended

There is a risk of assessors acting contrary to client interests, particularly when opportunities for financial gain are present.

National Police Checks :

- Assist in controlling fraud and integrity risks
- Provide confidence to disclosure schemes and financial programs that there are barriers to malicious actors entering the scheme
- Provide confidence to householders to consent to an assessor entering their home, especially where the householder is a vulnerable person, or is not the applicant for the assessment e.g. applicant is a landlord, householder is a rental tenant

*There is evidence fraud has occurred in past energy efficiency schemes. Furthermore, Australian Bureau of Statistics and Scamwatch.gov.au data shows the number of rebate scheme scams, and harms caused by them, is rising in Australia. Elderly, disabled, first nations, and people from culturally diverse backgrounds are some of the most impacted groups by scam activity.*

## Cost implications for assessors

National Police History checks are available for a national average fee of \$50.

It is proposed that applicants may submit a National Police Certificate dated within six months of the date of submission.

## Fit and Proper Person Decision

Assessors shouldn't be accredited if they have a criminal history that:

- involves dishonesty
- indicates a material risk of harm to consumers

**unless** there are mitigating circumstances.

The following must be considered in the decision:

- Does the applicant's criminal record mean they cannot fulfil the requirements of being an assessor?
- Has the applicant been given the opportunity to explain the circumstances of the criminal record?

## Is there precedent for National Police Checks?

There is precedent for fit and proper person screening in related industries from which assessors may be drawn, including real estate agents, valuers, building practitioners, and building related trades and services which require national police checks in pre-employment and some licensing screening.

Fit and proper person checks are included in the Australian Building Codes Board National Registration Framework, which includes requirements for Energy Efficiency Consultants.

Licensed ACT assessors are required to undergo a fit and proper person check in the form of declaring their past criminal history.

While the Residential Efficiency Scorecard program does not require a fit and proper person test it does recommend assessors hold a valid Working with Children Check.

## What about International Police Checks?

National Police Checks detail Disclosable Court Outcomes from within Australia and do not disclose any relevant criminal history in overseas jurisdictions.

Overseas travel will only be identifiable through applicant self-declaration. Applicants with concerns about their overseas police check may be unlikely to declare time spent overseas.

International Police Checks would need to be provided for each country visited within a timeframe specified (e.g. last 5 years) and for a minimum duration of time spent overseas (e.g. 3 months or longer) to avoid capturing people who have travelled for short-term holidays, business travel etc.

International police checks currently cost an applicant between \$90 - \$150 per country. International police checks are not available from all overseas jurisdictions.

Overseas born applicants who hold visas with work rights in Australia undergo extensive security screening as part of the visa application process.

## What are the alternative fit and proper person checks available?

### Character references:

Issues identified through misuse of character references in a recent Victorian County Court case demonstrate the need for character references to be verified.

This significantly impacts the turnaround time for the accreditation process.

In addition, not all assessors will have employers to provide a reference and references are unlikely to be sought from people who will provide a negative view of the assessor's character.

### Self-declaration:

It is unlikely that an assessor will self-declare previous wrongdoing or misconduct and there is little confidence in the reliability of self-declarations as a preventative measure

**Do you support the introduction of National Police Checks?**

**Are there risks or issues that require further consideration?**

**Should applicants be required to declare extended overseas travel and provide international police checks?**

# Assessor Code of Practice

# General Responsibilities

NatHERS for existing homes assessors must:

- conduct themselves in a way that upholds the reputation and integrity of NatHERS and not bring the scheme into disrepute.
- exercise due skill, care, and diligence in the performance of all their duties.
- be responsible for ensuring that the data compiled and input into NatHERS approved software to produce a NatHERS Certificate is:
  - collected consistently with the requirements of the NatHERS for Existing Homes Technical and Guidance Note
  - an accurate representation of all characteristics relevant to the energy performance of the building; and
  - supported by evidence and other information in accordance with the requirements in the NatHERS for Existing Homes Technical and Guidance Note
- engage with householders in a respectful, professional, and ethical manner.
- operate in compliance with all applicable laws and regulations of their jurisdiction.

## General Responsibilities continued

- accept responsibility and liability for each NatHERS 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.
- not publish false or misleading information in relation to their NatHERS Assessments, the Assessor Accreditation Service Provider, or NatHERS in general.
- inform the Assessor Accreditation Service Provider of any change in their personal circumstances that they reasonably believe is relevant to and will affect their accreditation
- act in a manner consistent with all NatHERS Existing Homes Materials including:
  - NatHERS Technical and Guidance Note
  - NatHERS Software User Terms & Conditions
  - this Code of Practice

# Maintaining Accreditation

NatHERS for existing homes assessors must:

- hold and maintain \$10 million Public Liability and \$2 million Professional Indemnity insurance policies at all times while accredited
- meet their Continuing Professional Development ('CPD') obligations.
- provide a declaration of material personal interests on an annual basis
- complete a minimum of three NatHERS Existing Homes Assessments in a calendar year
- complete all identified performance improvement actions within agreed timeframes
- not have a history of unacceptable performance issues
- not have any unacceptable complaints of serious misconduct
- complete and pass an online Knowledge and Skills Assessment at least every three years



# Conflicts of Interest

NatHERS for existing homes assessors must:

- declare any material personal interests to the Assessor Accreditation Service Provider that may give rise to a conflict of interest.
- record and manage any conflicts of interest
- declare all relevant conflicts of interests to homeowners/tenants when conducting a NatHERS Assessment.
- not conduct NatHERS Existing Homes Assessments or generate NatHERS Home Energy Rating Certificates for:
  - any property in which they hold a financial interest
  - 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).

## Attending Private Dwellings

NatHERS for existing homes assessors must:

- carry their NatHERS for existing homes assessor ID when attending a dwelling and show the ID to the client / occupant upon arrival.
- not attend a private dwelling unless an appointment has been made and agreed to by all parties; and if occupied, an adult with authority and capacity is present and provides consent to enter the dwelling.

## Workplace Health & Safety

NatHERS for existing homes assessors:

- are solely responsible for their own conduct, their responsibilities under relevant workplace health and safety laws, and any and all workplace health and safety risks and incidents that occur as part of undertaking a NatHERS for Existing Homes assessment.
- must take all necessary steps to ensure that they comply with all relevant workplace health and safety laws.

# Privacy and Data Protection

NatHERS for existing homes assessors must:

- take all necessary steps to keep data and information relevant to their role private and confidential.
- adhere to the Privacy Act 1988 (Cth) and all other relevant information, data, and privacy laws.
- provide the client / tenant with a NatHERS Assessment Privacy, Data & Consent Form prior to conducting a NatHERS Assessment and obtain written consent to collect, use, share and store personal information.
- provide upon request from the Assessor Accreditation Service Provider, Software Providers, NatHERS Administrator, or appointed third-party, a signed copy of the relevant Privacy Notice & Consent Forms
- inform homeowners/tenants as soon as practicable if any personal information is compromised as a result of their actions.

## Trademark use

NatHERS for existing homes assessors:

- must adhere to the NatHERS Trade Mark Guidelines.
- may only use NatHERS Trade Marks in their capacity as a NatHERS for existing homes assessor.

## Complaints and Audit

NatHERS for existing homes assessors must:

- retain records of activities undertaken as part of a NatHERS assessment of an existing home as specified in NatHERS Materials, for a minimum period of 7 years from the date of generation of a Home Energy Rating Certificate.
- provide upon request, any information or records reasonably necessary to resolve a complaint, to the Assessor Accreditation Service Provider.
- 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 Assessor Accreditation Service Provider, Software Providers, NatHERS Administrator, or appointed third-party.

# Performance Improvement Action

NatHERS for existing homes assessors must:

- undertake and complete any performance improvement action in accordance with the terms and timeframe set out by the Assessor Accreditation Service Provider or NatHERS Administrator, deemed necessary to maintain accreditation.
- not participate in or undertake any part of a NatHERS Existing Home Assessment during any suspension period imposed pending the completion of performance improvement action.

Non-compliance with performance improvement action may result in suspension.

**Are there key obligations missing from the proposed Code?**

# Maintaining Accreditation

# Process to maintain accreditation



Annually

## Annual Process

- ✓ Insurance Certificates of Currency
- ✓ Updated declaration of material personal interests
- ✓ Minimum Continuing Professional Development
- ✓ Completion of all identified performance improvement actions (or appropriate progress towards completion)
- ✓ Demonstrated compliance with the Code of Practice and no unacceptable history of complaints or underperformance.

***Accreditation suspended until annual documentation requirements submitted if past due date***



Every  
3rd year

## Triennial Process

- ✓ All annual requirements
- AND**
- ✓ Successfully complete a short online knowledge and skills assessment
  - ✓ Updated privacy incident management protocols

***Accreditation suspended until annual documentation requirements submitted if past due date***

# Ongoing knowledge and skill assessments

To ensure that assessors are maintaining their knowledge and proficiency, it is proposed that all assessors are required to complete a short online knowledge and skill assessment activity every three years.

The knowledge and skills assessment will:

- include questions on technical assessment details and required assessor behaviours
- support assessors to identify learning and development needs
- enable assessor accreditation service providers to identify and respond to emerging patterns in knowledge gaps

It is proposed the knowledge and skill activities are available to be completed on a voluntary basis in the years between the mandatory requirement and will attract CPD points.

**Do you support the introduction of periodic knowledge and skill assessments?**

**If so, is on a three yearly basis appropriate? Would an annual or other period be more appropriate?**



# Making accreditation more flexible

A flexible approach that enables assessors to balance individual circumstances with the requirements of maintaining accreditation can support the retention of assessors in the industry and encourage diversity in the workforce.

Assessors will be able to voluntarily suspend their accreditation for a nominated period e.g. to take parental / carers leave, recover from an injury or illness.

Relevant requirements for maintaining accreditation will be adjusted to fairly reflect the period of active accreditation.

An example of an assessor taking a 6-month period of voluntary suspension may look like:

Base Requirement	Voluntary Suspension Adjustment
CPD 12 points with 6 points in technical training	CPD 6 points in technical training
Insurances Valid for the entire period of accreditation	Insurances Valid for active periods of accreditation
Completion of all identified performance improvement actions (or appropriate progress towards completion)	Adjustment of agreed timeframes by negotiation.

# Making learning more flexible

While a flexible approach can support attraction and retention of assessors, it is also anticipated CPD opportunities for existing homes assessors may be somewhat limited until there is growth in demand.

It is proposed that Existing Homes assessors achieve

- **a total of 36 CPD points over a rolling 3 year period**, with at least half (18 CPD points) achieved in technical training; and
- **a minimum of 9 CPD points in each 12 month period**, with at least 6 CPD points achieved in technical training.

An example of an assessor maintaining 36 points over a three year rolling period looks like:

	2025	2026	2027	2028	2029	2030
<b>Accreditation</b>	12 points	9 points	15 points			
<b>Rolling period 1</b>		9 points	15 points	12 points		
<b>Rolling period 2</b>			15 points	12 points	9 points	
<b>Rolling period 3</b>				12 points	9 points	15 points

*An assessor is accredited in June 2025. They achieve 12 points in the first year, 9 points in the second year, and 15 points in the third year which totals 36 points over three years. In the following rolling period, the points from the first year no longer count and 12 points or more must be achieved in year 4, to achieve 36 points over three years.*

**Do you support the implementation of rolling CPD requirements? What, if any, are the concerns with this approach?  
Are the proposed CPD point requirements appropriate? What adjustments should be made?**

# Complaints Policy

# Overall approach to complaints

- ✓ Consistent with Australian Standard 10002:2022 Guidelines for complaint management in organisations.
- ✓ Consistent with best practice approaches recommended by Victorian and Commonwealth ombudsmen.
- ✓ Consistent with the approach being proposed for adoption in NatHERS ratings for new home.

## Principles for Complaint Management

### Make it easy:

- ✓ Information is readily available and easy to understand
- ✓ Making complaints is accessible to diverse groups of people
- ✓ There are no costs for making a complaint

### Make it responsive:

- ✓ Complaints are dealt with in a timely way
- ✓ People are kept informed of the progress of their matter
- ✓ Commitments made are followed through

### Make it fair:

- ✓ Privacy of information is protected
- ✓ All parties are treated with respect
- ✓ Decisions are transparent, objective, and accountable

**Do you support the proposed Complaint Management Policy? What adjustments should be made?**

# Complaints about Assessors

Type of complaint	Frontline resolution	Investigation if required	Internal Review if requested*	External review if requested	Referral to law enforcement or regulator
Level 1: Language, commentary or behaviour inappropriate for the position, context or location	Assessor Accreditation Service Provider	Assessor Accreditation Service Provider	Assessor Accreditation Service Provider	NatHERS Administrator	
Level 2: Activities or actions undertaken that do not comply with NatHERS policy or strategic objectives	Assessor Accreditation Service Provider	Assessor Accreditation Service Provider	Assessor Accreditation Service Provider	NatHERS Administrator	
Level 3: Activities or actions that may indicate serious misconduct, or a danger to health, safety, or the environment	Assessor Accreditation Service Provider	Assessor Accreditation Service Provider	NatHERS Administrator	NatHERS Administrator	
Level 4: Actual or suspected contravention of the law					Assessor Accreditation Service Provider

*\*Internal reviews must be undertaken by a person not involved in the original complaint handling or investigation*

# Complaints about delivery partners:

Assessor Accreditation Service Providers, Software Providers, or Quality Assurance Reviewers

Type of complaint	Frontline resolution	Investigation if required	Internal Review if requested*	External review if requested	Referral to law enforcement or regulator
Level 1: Language, commentary or behaviour inappropriate for the position, context or location	NatHERS Administrator staff	NatHERS Administrator staff	NatHERS Administrator staff	Commonwealth Ombudsman	
Level 2: Activities or actions undertaken that do not comply with NatHERS policy or strategic objectives	NatHERS Administrator staff	NatHERS Administrator staff	NatHERS Administrator Manager	Commonwealth Ombudsman	
Level 3: Activities or actions that may indicate serious misconduct, or a danger to health, safety, or the environment	NatHERS Administrator staff	NatHERS Administrator Manager	NatHERS Administrator Manager	Commonwealth Ombudsman	
Level 4: Actual or suspected contravention of the law					NatHERS Administrator Manager

*\*Internal reviews must be undertaken by a person not involved in the original complaint handling or investigation*

# Assurance over complaint handling

<b>Risk management controls</b>	NatHERS Complaints Handling Policy	NatHERS staff training	NatHERS supplied standardised templates	Complaints register	Assessor Accreditation Service Providers notify the NatHERS Administrator of all Level 3 and Level 4 complaints
<b>Assurance processes</b>	Assessor Accreditation Service Providers supply annual performance reports for complaints management to the NatHERS Administrator	NatHERS Administrator may review provider compliance with complaints policy	Periodic process review informed by Assessor Accreditation Service Providers & NatHERS Administrator ongoing engagement		

# Contact us

**NatHERS Strategy, Assurance and  
Governance team**  
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