

**Nationwide House Energy Rating Scheme®**

**Protocol for Assessor  
Accrediting Organisations  
- Version 2.2**

**November 2024**

## Disclaimer

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

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## Acknowledgement of Country

The NatHERS Administrator and the department acknowledge the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

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November 2024

## Foreword

The Nationwide House Energy Rating Scheme (NatHERS) is an initiative administered under the work program of the Energy Ministers. In November 2021 the Energy Technology Working Group (ETWG) and its NatHERS sub-group were established. The ETWG and its NatHERS sub-group consist of representatives from the Commonwealth, state and territory governments. The ETWG's NatHERS sub-group acts as the NatHERS Steering Committee, providing oversight of NatHERS. The Australian Government Department of Climate Change, Energy, the Environment and Water is the NatHERS Administrator.

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 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. In 2022 NatHERS was expanded to assess and rate the energy performance of the whole home. This Whole of Home assessment includes fixed appliances and on-site energy generation and storage. The software attributes ratings to the house based on the estimated total annual energy load required to run the home (including both fixed appliances and estimated plug loads) 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 repeatable 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 energy performance of buildings are adequately trained in its use and have a minimum level of understanding of building construction, building thermal performance, appliance 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.

This Protocol for Assessor Accrediting Organisations (AAOs) 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

- (1) This Protocol describes the processes that are required to be implemented by AAOs that are approved by the NatHERS Administrator to accredit NatHERS Assessors.

## 2 Definitions and interpretations

- (1) Where used within this Protocol:

**AAO** means an Assessor Accrediting Organisation, which is an organisation that accredits Assessors in accordance with this Protocol. AAOs have responsibility and accountability for implementing the policies and procedures as set by the NatHERS Administrator. AAOs also have responsibility to support high quality NatHERS outcomes, including relevant information sharing with the NatHERS Administrator and other AAOs.

**AA Code of Practice** means an Accredited Assessor Code of Conduct.

**ABCB** means the Australian Building Codes Board.

**Additional Software** means NatHERS accredited software that an Assessor elects to use other than the software they were trained in when initially accredited.

**Applicant** means a person who applies to an AAO for accreditation as an Assessor.

**Applicant Organisation** means an organisation which applies to the NatHERS Administrator to become an AAO.

**Assessment** means an energy performance simulation performed using a NatHERS Software Tool conducted by an Assessor for regulatory purposes. (See Thermal Assessment and Whole of Home Assessment).

**Assessor** means a person accredited by an AAO to use NatHERS Software to estimate the energy performance of buildings for regulatory purposes. Assessors may be accredited for all Assessments or Thermal Assessments only.

**Benchmark Assessment** means an assessment that is completed by an Assessor, using one or more standardised plans provided by the AAO or NatHERS Administrator, where the rating result has already been calculated. This is used to check the accuracy of the Assessor's rating and competency in software tool operation.

**Commonwealth** means the Australian Government.

**Conflict of Interest** means a conflict of interest as described in the Declaration of Interest Form.

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

**Declaration of Interest Form** means a document substantially in the form attached at Appendix B.

**Disciplinary Action** means action undertaken by an AAO in response to underperforming or otherwise unsatisfactory behaviour of an Assessor.

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

**NatHERS** means the Nationwide House Energy Rating Scheme.

**NatHERS Administrator** means the Commonwealth officials responsible for administering NatHERS on behalf of all governments.

**NatHERS Certificate** means an official certificate in the form approved by the NatHERS Administrator, and generated by an Assessor using NatHERS Software in regulation mode detailing data from the relevant Assessment.

**NatHERS Software** means a calculation software tool in regulation mode that is accredited by the NatHERS Administrator as complying with the current version of the NatHERS Software Accreditation Protocol or software that is otherwise recognised by the NatHERS Steering Committee.

**NCC** means the relevant version of the National Construction Code.

**Quality Assurance** or **QA** means the Quality Assurance system for checking whether Assessments have been performed correctly in accordance with the NatHERS Technical Note and any other requirements placed on Assessors by this Protocol.

**Regulatory Mode** means the operation of NatHERS Software using a specific set of defined inputs and parameters for the purposes of completing an Assessment for achieving compliance with a particular Jurisdiction's application of the NCC.

**Remedial Action** means a process undertaken by an AAO to support improved rating outcomes from accredited Assessors found to have produced inaccurate Assessments following a Quality Assurance review.

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

**Steering Committee** means the body that oversees the development and administration of NatHERS.

**Technical Note** means the procedures detailed in the NatHERS Technical Note published on [www.nathers.gov.au](http://www.nathers.gov.au) for entering a building's characteristics into NatHERS Software tools in Regulatory Mode.

**Thermal Assessment** means an assessment undertaken using NatHERS software to generate an energy rating based on the shell of a dwelling and the estimated energy use for heating and cooling.

**Whole of Home Assessment** means an assessment that builds on a Thermal Assessment to generate an energy rating for the whole home including fixed appliances (heating and cooling appliances, hot water systems, lighting, pool/spa pumps, on-site energy generation) combined with the thermal shell.

**Whole of Home Assessor** means an Assessor who has been accredited to complete Whole of Home assessments.

## 3 Assessor Accreditation

### 3.1 Assessor qualification

- (1) All NatHERS Accredited Assessors must hold a Certificate IV in one of the following qualifications:
  - a) Certificate IV in NatHERS Assessment - CPP41212
  - b) Certificate IV in Home Energy Efficiency and Sustainability (Thermal Performance Assessment) - CPP41119

- c) Certificate IV in Home Energy Efficiency and Sustainability (Home Sustainability Assessment and Thermal Performance Assessment) - CPP41119
- (2) NatHERS Accredited Assessors must also provide evidence of having completed training in the software tool(s) used when undertaking assessments. Acceptable training in software tools includes training conducted by an RTO approved to deliver one of the Certificate IV qualifications listed above, or a NatHERS-endorsed trainer of Additional Software.
- (3) For assessors to be considered Accredited to undertake Whole of Home assessments for NCC purposes they must provide evidence of having completed training in undertaking Whole of Home Assessments, either as part of completing a Certificate IV course listed above, or through a NatHERS Whole of Home Technical Note CPD unit.

### 3.2 Requirements for accreditation of Assessors

- (1) A person (Applicant) may apply to an AAO to be accredited as an Assessor.
- (2) An AAO may accredit an Applicant as an Assessor where the Applicant meets all of the following requirements:
  - a) the Applicant has successfully completed the required qualification in accordance with **section 3.1**;
  - b) the Applicant provides a certified copy of the Certificate and Record of Results of a qualification in accordance with **section 3.1** to the AAO as proof of completion;
  - c) the Applicant has notified the AAO of any current or previous accreditation with another AAO;
  - d) the Applicant has nominated to the AAO the software tools they will use, and the AAO has confirmed this to the Applicant;
  - e) the Applicant provides a certified copy of the Certificate of completion of software training to the AAO as proof;
  - f) the Applicant agrees they will comply with the AAO's Assessor Code of Practice;
  - g) the Applicant agrees to conduct Assessments in accordance with the NatHERS Technical Note unless these contradict the laws of the jurisdiction in which the assessment is being conducted; State or Territory regulatory requirements prevail in the event of contradictions;
  - h) the Applicant agrees that, when using NatHERS Software to demonstrate compliance with a jurisdiction's application of the NCC, they will create and use NatHERS Accredited Certificates;
  - i) the Applicant agrees to only use the trademarked NatHERS name and logo in sole conjunction with a NatHERS Certificate. No other part of the NatHERS tools output, such as summary diagnostic reports, will be used to demonstrate NCC compliance;
 

Note: assessors can provide other supporting reports that accompany an official NatHERS Certificate. Any supporting reports that accompany an official NatHERS Certificate must include the NatHERS stamp, in accordance with clause 13 of the NatHERS technical note.
  - j) the Applicant agrees they will submit a minimum of 3 NatHERS Assessments per year in at least one of the Software Tools they are accredited in. It is the responsibility of the AAO to disable an Assessor's certificate portal access where there have been no

NatHERS Certificates produced for 3 years. After that time, the Assessor must go through reaccreditation of that software to reinstate use; and

Note: where an assessor is unable to submit 3 NatHERS assessments, the AAO may permit the assessor to undertake a Benchmarking exercise.

- k) the Applicant agrees they will conduct their Assessments in a way which ensures the health and safety of themselves and others, so far as reasonably practicable and which complies with all relevant workplace health and safety laws in the Jurisdictions in which they operate.
- (3) Where an Applicant applies to have their accreditation as an Assessor reinstated following cancellation by an AAO as a Disciplinary Action, or voluntarily withdrawal of their accreditation prior to Disciplinary Action taking effect, the AAO must seek agreement from the NatHERS Administrator prior to deciding to approve. The Applicant must provide evidence to satisfy the AAO that they:
- a) have undergone appropriate activities as directed by the AAO to improve their ratings accuracy or otherwise address their unsatisfactory behaviour; and
  - b) will comply with the requirements of the AAO's Code of Practice; and
  - c) agree to be subject to a Quality Assurance (QA) review within their first 12 months of re-accreditation; and
  - d) agree to undertake a benchmark assessment prior to being granted accreditation as administered by the AAO.
- (4) Where an Applicant applies to be accredited with another AAO, the potential new AAO must write to the previous AAO and request full details of any outstanding requirements to be met before deciding whether to take over accreditation of the assessor.
- (5) An AAO may refuse to take on accreditation of an assessor where they have reasonable grounds to do so.

### 3.3 Notice of accreditation

- (1) Upon satisfying the accreditation criteria in **section 3.2** of this Protocol, the AAO must:
- a) notify the Assessor in writing of their accreditation;
  - b) provide the Assessor with a unique accreditation number; and
  - c) provide an electronic copy of their Code of Practice and the NatHERS Technical Note to the Assessor.
- (2) An Assessor may only be accredited with one AAO at any given time.
- (3) When an Assessor is newly accredited, the AAO must notify the other AAOs within 7 business days of accreditation.

### 3.4 Accreditation in more than one tool

- (1) Assessors may only be accredited in more than one tool if they have completed:
- a) one of the Certificate IV qualifications listed in **section 3.1**, which includes the completion of a training course in at least one Software Tool; and
  - b) a training course for the Additional Software Tool that meets all of the requirements specified in **Appendix C**.



## 4 Quality Assurance system for Assessor services

### 4.1 General requirements

- (1) An AAO must have a QA system in place that has been approved by the NatHERS Administrator to ensure Assessors conduct Assessments in an accurate, consistent and repeatable manner.
- (2) The QA system must include, as a minimum, the establishment and implementation of:
  - a) an Assessor Code of Practice;
  - b) ongoing technical support to Assessors;
  - c) management, tracking and coordination of CPD activities;
  - d) an Assessment monitoring, review and remedial program, including mechanisms to check that Assessors are using the relevant version of the Technical Note and a version of the NatHERS Software tool accredited at the time the Assessment was commenced and for which the assessor is accredited to use;
  - e) policies for managing complaints; and
  - f) a Disciplinary Action policy.
- (3) Where agreed by the NatHERS Administrator, activities performed by an Assessor to comply with an AAO's QA system may be eligible for Continuing Professional Development (CPD) points.
- (4) Proposals for changes to any element of an AAO's QA system must be lodged with the NatHERS Administrator for approval before implementation, and the NatHERS Administrator will respond to the AAO within 10 business days.

### 4.2 NatHERS Technical Note

- (1) The NatHERS Administrator will provide to AAOs:
  - a) draft of any new or amended NatHERS Technical Note for comment; with reasonable notice, of at least 3 months or as negotiated with the AAOs, of any changes to, or the introduction of, a Technical Note; excepting where
    - i. a state or territory government, or the Australian Building Codes Board request changes to a Technical Note and require specific transitional arrangements; and
  - b) a final version of a NatHERS Technical Note with the stated transitional arrangements.
- (2) AAOs will be required within 3 months, or other period set in consultation with the NatHERS Administrator, to:
  - a) implement any new or amended Technical Notes across their QA systems; and
  - b) advise their Assessors of the changes to the Technical Note.

### 4.3 Assessor Code of Practice

- (1) AAOs are required to establish and implement an Assessor Code of Practice which, as a minimum, covers the requirements as may be referred to in the text of this Protocol and in **Appendix A**.

- (2) AAOs may include additional requirements in their Code of Practice, provided they are consistent with the intent of this Protocol.
- (3) AAOs must ensure Assessors adhere to the AAO's Code of Practice to maintain the Assessor's accreditation.

#### **4.4 Assessor support**

- (1) AAOs must ensure the Assessors they accredit are provided with ongoing support, including advice in relation to accuracy, consistency and repeatability of Assessments and advice on changing requirements due to Technical Note updates and relevant building regulations, including any state or territory-specific requirements.
- (2) In instances of finding conflicting advice, AAOs or Assessors should immediately inform the NatHERS Administrator.
- (3) AAO support does not extend to advice on the operation of NatHERS Software which is expected to be provided by the software developers and/or distributors. AAOs or Assessors should refer any Software/IT questions directly to the software provider.
- (4) Where an assessor has failed benchmark exams, the AAO may refer them to a software training provider for further training.
- (5) Assessors must be able to access support services from their AAO via no less than email and telephone. Upon receipt of a request for support from an Assessor, an AAO must provide a response within 2 business days (days on which the AAO is open for business).

#### **4.5 Continuing Professional Development (CPD)**

- (1) AAOs must provide CPD activities for Assessors they have accredited, including via:
  - a) the distribution of regular electronic newsletters at appropriate intervals; and
  - b) coordination of a professional development program. 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.
- (2) AAOs must make available to Assessors they have accredited, a mechanism for recording their attendance at all CPD activities, for validation by the AAO.
- (3) AAOs must ensure their Assessors complete at least 12 CPD points in each year of accreditation, and one point will equal at least one hour of time spent undertaking the CPD. An AAO may suspend an assessor's accreditation until such time as they have achieved the 12 CPD points.
- (4) Three CPD points may be allowed to be rolled over in any one year.
- (5) At least six of the CPD points must be completed in technical training. Technical training includes:
  - a) Training in the understanding of the NatHERS Technical Note and the NatHERS Assessor Handbook.
  - b) Training in the use of NatHERS accredited software tools, including formal training from AAO approved mentors.
  - c) Training in the use of other residential energy efficiency software or assessment mechanism (for example blower door testing).
  - d) Training in ways to improve building envelope thermal potential and/or performance.

- e) Training in the NCC energy efficiency provisions and other regulatory instruments relevant to NatHERS.
  - f) Training regarding the efficiency of fixed appliances and impact of on-site energy generation and storage.
- (6) AAOs must implement mechanisms for assessing the learning outcomes of the CPD activities they provide, where feasible.
- (7) Where an Accredited Assessor has failed to meet CPD obligations with an AAO by their accreditation renewal date and has either had their accreditation suspended, terminated, or they have elected to cancel their accreditation; the assessor must upon application with the existing or alternate AAO, complete the prior CPD requirements before they can become reaccruited. AAOs are required to share information between AAOs of those Assessors who have outstanding CPD requirements at time of accreditation termination or cancellation.
- (8) Where an Accredited Assessor has been out of the industry for more than 12 months, they are required to pass a benchmarking exercise and undertake training in any areas required.

#### **4.6 Quality Assurance processes for Assessments**

- (1) An AAO must have a quality assurance system in place for ensuring Assessors conduct assessments in a satisfactory and repeatable manner.
- (2) AAOs must undertake QA processes for Assessments produced by their Assessors to ensure, as far as possible, that:
- a) Assessments are accurate, consistent and repeatable;
  - b) Assessors are correctly applying the relevant building regulations, including any state or territory-specific requirements;
  - c) Assessors are complying with the AAO's Assessor Code of Practice;
  - d) Assessors are conducting Assessments in line with the relevant version of the NatHERS Technical Note and using NatHERS Software accredited at the time the Assessment was commenced; and
  - e) Appropriate and timely Remedial Action is taken to improve the performance of Assessors whose Assessments are found to contain errors.
- (3) AAOs must provide ongoing technical support and professional development opportunities to maintain competencies.
- (4) The AAO QA procedures must be lodged with the NatHERS Administrator as part of the application to become an AAO, and maintained for currency.
- (5) The NatHERS Administrator may compel the AAO to withdraw accreditation of an assessor or take other remedial or disciplinary action in response to a non-compliance with this Protocol, Technical Note or the AAO Code of Practice.

#### **4.7 Quality Assurance (QA) Review of Assessors**

- (1) Each year, AAOs will undertake a QA review of at least 20% of all Assessors it accredits under a process to be agreed with the NatHERS Administrator.

- (2) AAOs will implement a process whereby Assessors are selected by AAOs to participate in the QA review process, based on a risk Assessment process agreed by the NatHERS Administrator.
- (3) QA reviews should also test the application of knowledge. In undertaking a QA review of the application of knowledge, the reviewer should:
  - a) review at least one Assessment completed by the Assessor in the last 12 months;
  - b) investigate for any errors identified;
  - c) investigate the software file and NatHERS Certificate, dwelling specifications, or some drawing documentation as applicable to the approved QA strategy (this could include a floorplan) to identify any errors; and
  - d) score the accuracy of the Assessor's software inputs and processes.
- (4) The AAO will provide feedback in a timely manner to the Assessor regarding any errors and the correct method.
- (5) Where the Assessor receives a score of less than 80% from the QA review process, the Assessor will be subjected to Remedial Action under **section 4.9**.
- (6) Where the AAO considers the findings from the QA review process warrants such action, the AAO may pursue Disciplinary Action under **section 4.10** without first undertaking Remedial Action.
- (7) The AAO must notify the Assessor that, where an Assessor has concerns with the outcome of the QA Review, they must present this in writing to the AAO within 10 business days of being notified of the QA review outcome. Following consideration of the Assessor's concerns, the AAO's decision will be final.

#### **4.8 Requirements for Quality Assurance reviewers**

- (1) QA reviews are to be carried out by Assessors with a high degree of competency and experience in the NatHERS Software used by the Assessors that they are reviewing.
- (2) AAOs must undertake an annual benchmarking exercise, whereby measures are undertaken to ensure consistent rating practices and assumptions between QA reviewers.
- (3) QA reviewers must have:
  - a) had no remedial or Disciplinary Action taken against them in the last 3 years; and
  - b) collectively, across all QA reviewers, the ability to undertake QA reviews in all recently accredited versions of each software tool.
- (4) A QA reviewer must report to the AAO, all potential real or perceived conflicts of interest with the Assessors that they are reviewing.
- (5) The AAO must implement processes to manage any potential real or perceived conflict of interest between QA reviewers and the Assessors they review.

#### **4.9 Remedial Action**

- (1) The objective of Remedial Action is to support improved rating outcomes from underperforming Assessors.

- (2) AAOs must have policies and procedures, approved by the NatHERS Administrator, for taking Remedial Action to ensure underperforming Assessors meet the required standards.
- (3) Remedial Action may include, but is not limited to, examinations, use of Benchmark Assessments, targeted CPD, mentoring, refresher training and/or retraining.
- (4) In the event that Remedial Action does not improve the quality of an underperforming Assessor's Assessments in a timely manner, an AAO will initiate Disciplinary Action to suspend the Assessor's accreditation until they are satisfied that sufficient improvement has been demonstrated.
- (5) The AAOs policies and procedures must include an appeals process for Assessors that are required to undertake remedial or Disciplinary Action.
- (6) Where an Assessor withdraws their accreditation to avoid Remedial Action, this will be deemed a cancellation of accreditation by the AAO. The AAO's policies and procedures must include an appeals process which allows an opportunity for Assessors to appeal a decision.

#### 4.10 Disciplinary Action

- (1) AAOs must have policies and procedures, approved by the NatHERS Administrator, for taking Disciplinary Action against underperforming Assessors or Assessors whose behaviour is otherwise unsatisfactory.
- (2) Pending an investigation of the Assessor's actions, an AAO will suspend the accreditation of any Assessor who it deems has:
  - a) refused to participate or cooperate in a QA review or Remedial Action;
  - b) failed its QA review and subsequent Remedial Action;
  - c) produced Assessments that do not comply with the NatHERS or AAO's branding, guidelines, technical notes or AAO's Assessor Code of Practice; or
  - d) failed to comply with the requirements of their AAO's Assessor Code of Practice.
- (3) When an Assessor's accreditation is cancelled or when an Assessor withdraws their accreditation to avoid Disciplinary Action, the responsible AAO will notify the NatHERS Administrator, relevant software provider and other AAOs within 5 business days and remove the Assessor from the AAOs list of accredited Assessors.
- (4) Where an Assessor withdraws their accreditation to avoid Disciplinary Action, this will be deemed a cancellation of accreditation by the AAO and the AAO must disable the Assessor's ability to generate NatHERS Certificates in all relevant certificate portals.
- (5) Note: The AAO must take all reasonable steps to ensure that the ability to generate NatHERS Certificates in relevant certificate portals is not reinstated unless the Assessor is reaccredited, and work with software providers to ensure that the de-accredited Assessor's account is not transferred to another accredited Assessor.
- (6) In cases when an Assessor fails Remedial and Disciplinary action, the AAO must inform other AAOs, relevant software provider and relevant jurisdiction authorities.
- (7) In cases where an Assessor fails Disciplinary action, the AAO may cancel the accreditation of that Assessor.

- (8) The AAO's policies and procedures in regard to Disciplinary Action must include an appeals process which allows an opportunity for Assessors to appeal a decision prior to suspending or cancelling their accreditation.

#### **4.11 Process for dealing with complaints**

- (1) AAOs must establish a system of policies and procedures for responding to complaints, including about the AAO and its Assessors, from other Assessors, clients, businesses, Jurisdictions or members of the public. This includes a process for:
  - a) logging complaints and actions taken to resolve them;
  - b) managing responses to complaints in a timely manner, and
  - c) reviewing complaint decisions when requested by a complainant.
- (2) AAOs must notify the NatHERS Administrator within 5 business days of any complaints that relate to issues that impact on Scheme integrity. For example, an AAO may become aware of systemic deficiencies, or a concentration of complaints associated with particular Assessors that may not be random.

### **5 Public statements by AAOs**

- (1) AAOs may make statements to their members or to the public regarding government decisions in relation to NatHERS policies or operations.
- (2) AAOs must present factual statements in relation to NatHERS policies or procedures to the NatHERS Administrator prior to publication for checking to ensure accuracy. AAOs must provide the NatHERS Administrator a minimum of 2 business days unless otherwise agreed by both parties, to provide comments before a statement is released publicly.
- (3) The NatHERS Administrator will present factual statements in relation to an AAO's policies or procedures to the relevant AAO prior to publication for checking to ensure accuracy. The NatHERS Administrator will provide the AAO a minimum of 2 business days to provide comments before a statement is released publicly.
- (4) Statements by the NatHERS Administrator or AAOs containing opinions on AAO or NatHERS policies or procedures should indicate this clearly in the statement and be provided to the relevant party prior to publication for its information only.

### **6 Communication to Assessors**

- (1) Communications between an AAO and an Assessor, or an AAO and the NatHERS Administrator, may be sent in electronic form by email.
- (2) The NatHERS Administrator will advise AAOs of notices to be forwarded to Assessors in relation to:
  - a) new, or changes to, NatHERS policies and operations;
  - b) significant changes to the NatHERS Software;
  - c) upcoming events being organised by the NatHERS Administrator; or
  - d) changes to jurisdictional application of NatHERS ratings in building regulations.
- (3) The AAOs undertake to forward any notices within 2 business days or as agreed with the NatHERS Administrator.

## 7 Annual reports

### 7.1 Submission of annual reports

- (1) AAOs must submit an annual report for the previous financial year (or from date of accreditation if accredited during that year) to the NatHERS Administrator by 31 October each year.
- (2) Newly accredited AAOs may have the timing of their first annual report adjusted at the discretion of the NatHERS Administrator.
- (3) The NatHERS Administrator will make available all annual reports to Jurisdictions for their information and comment.
- (4) The NatHERS Administrator will provide feedback to the AAOs on the quality of their annual reports, or on any issues raised by the AAOs in the reports regarding the implementation of the AAO Protocol, within 3 months of receipt of the report.
- (5) AAOs must submit a completed Declaration of Interest Form together with the annual report for the previous financial year (or from date of accreditation if accredited during that year) to the NatHERS Administrator by 31 October each year.

### 7.2 Content of annual reports

- (1) 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.
- (2) Organisation details, including:
  - a) an overview of structure and operations including staff and/or Board membership;
  - b) notice of any changes to organisational processes required by this Protocol; and
  - c) a financial statement for the previous financial year audited according to the relevant Australian Accounting Standards.
- (3) Quality Assurance details, including:
  - a) a summary of the QA review system used by the AAO and how this meets requirements; as per **sections 4.6 and 4.7**;
  - b) details of the outcomes of the reviews undertaken by the AAO under **sections 4.7 and 4.8**;
  - c) the names, qualifications and experience of the AAO's Quality Assurance reviewers, and details of the process employed to avoid conflicts of interest with the Assessors they review;
  - d) a summary of errors found and actions taken to improve Assessments and manage risks;
  - e) if desired, recommendations to the NatHERS Administrator for improvements to the accuracy and consistency of NatHERS Assessments;
  - f) a summary of remedial actions (including length and outcomes); and
  - g) a summary of disciplinary actions undertaken by the AAO against Assessors, including the Assessor's name, date and outcomes.

- (4) Continuing Professional Development details, including:
  - a) a statement on the CPD activities managed by the AAO for its Assessors, including the number of attendees, and learning outcomes; and
  - b) at a minimum, provide a summary of Assessors who have not met minimum 12 CPD points and remedial action, for the reporting period.
- (5) A summary of complaints received, including the type of complaint, severity and how it was resolved.
- (6) Assessor details, including:
  - a) the total number of Assessors accredited, numbers of new and ceasing Assessors, and the overall number of Assessments undertaken by the AAO's Assessors in the reporting year;
  - b) a summary of the Assessor demographics into categories including ratio by Jurisdiction, number of Assessments undertaken per Assessor, and breakdown of tools used by Assessors;
  - c) 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; and
  - d) a list of the Assessors currently accredited by the AAO, including the following details about each Assessor:
    - i. Name
    - ii. Accreditation number
    - iii. Contact details
    - iv. Date of first accreditation
    - v. Which NatHERS Software is used by the Assessor
    - vi. Date that Certificate IV was achieved
    - vii. Date the last QA process was conducted on the Assessor. A summary of complaints made about Assessors, including the type of complaint, severity and how it was resolved.
- (7) The NatHERS Administrator may request the AAO to clarify, or provide additional information on, any aspect of their annual report.

## **8 Review of Assessor Accrediting Organisations**

### **8.1 Investigation of AAO practices**

- (1) The AAO must cooperate in compliance and enforcement activities undertaken by the NatHERS Administrator in accordance with the NatHERS Compliance and Enforcement Framework.
- (2) The NatHERS 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.
- (3) Investigations may be undertaken by the NatHERS Administrator itself or a representative of the Administrator.
- (4) AAOs must comply with reasonable requests from the NatHERS Administrator or its representative for information required to undertake its investigations, and for the NatHERS Administrator or its representative to inspect records at the AAO's offices.
- (5) The AAO must cooperate in any Benchmark Assessment studies undertaken by the NatHERS Administrator in relation to its Assessors.

## 8.2 Requests for Information and confidentiality

- (1) At any time the NatHERS Administrator may reasonably request that AAOs provide:
  - a) evidence to demonstrate that the requirements of this Protocol are being adhered to; and
  - b) information regarding its Assessors or the AAO's activities in implementing this Protocol.

## 8.3 AAO Information Handling Policy

- (1) AAOs must keep all information (including data and personal information) they collect for or on behalf of the NatHERS Administrator confidential, and adhere to all applicable privacy legislation including:
  - a) taking all steps necessary to safeguard the confidentiality of that information; and
  - b) not using or disclosing that information without the consent of the NatHERS Administrator.

## 8.4 Compliance

- (1) The NatHERS 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/or
  - b) suspending or withdrawing the approval of the organisation to be an AAO.

## 8.5 Process for an AAO exiting from NatHERS

- (1) The NatHERS Administrator may withdraw approval of an organisation as an AAO at any time if any of its policies or operations as required by this Protocol are deemed by the NatHERS Administrator to be unsatisfactory and are not rectified by the AAO within one month of notification by the NatHERS Administrator.
- (2) An AAO may choose to surrender its status as an AAO by providing a minimum of 3 months' notice to the NatHERS Administrator.
- (3) An exiting AAO, being an organisation which is surrendering its status as AAO (in accordance with clause 8.5(1) or 8.5(2)), must take all necessary steps to ensure minimal

negative impact on NatHERS objectives and on the Assessors accredited with the exiting AAO, and to enable the complete transition of:

- a) accredited Assessors to other AAOs; and
- b) other functions,

subject to the oversight and agreement of the NatHERS Administrator.

- (4) The NatHERS Administrator has sole discretion in determining the timing and content of notification to Assessors, other AAOs and the broader community of the exiting AAO's intention to surrender its status as an AAO.
- (5) The other AAOs will:
  - a) accept as members Assessors that were accredited with the exiting AAO;
  - b) treat transferring Assessors as existing Assessors for the purposes of the Assessor qualification requirements; and
  - c) give credit to the transferring Assessors' current CPD points if acceptable to the AAO.
- (6) Further considerations will be agreed between AAOs and the NatHERS Administrator.
- (7) Transferred Assessors must provide the accepting AAO with their Certificate of Currency for Professional Indemnity Insurance and pay ongoing membership and accreditation fees as normal.
- (8) Upon request by the NatHERS Administrator, an exiting AAO must attend weekly meetings with the NatHERS Administrator to progress relevant activity, which may include:
  - a) implementation of effective change management strategies;
  - b) responses to emerging issues and effective risk mitigation;
  - c) communications that support key stakeholders;
  - d) financial strategies that provide security to Assessors;
  - e) the provision of data to assist in monitoring Assessor behaviour and activity; and
  - f) the sharing of AAO and Assessor records with the NatHERS Administrator and/or other AAOs, as supported by relevant legislation.

## **9 Extension of Accreditation**

- (1) The NatHERS Administrator will review an AAO's performance 6 months before its accreditation expires to determine whether its accreditation will be extended for a further period, and determine whether any conditions should be imposed.
- (2) The NatHERS Administrator may consult with Jurisdictions as necessary on reviews of AAOs.

## **10 Application to become an Assessor Accrediting Organisation**

- (1) An incorporated organisation (Applicant Organisation) may apply to the NatHERS Administrator to become an AAO. Unincorporated organisations may not apply.

- (2) Applications must be submitted to the NatHERS Administrator and include evidence to demonstrate:
  - a) experience in providing member services to the building industry;
  - b) the demonstrated availability of Assessors who will undertake the organisation's QA processes, who have equivalent qualifications to those specified in **section 3.1**;
  - c) how the organisation will address each of the requirements outlined in this Protocol, particularly the QA system which will be applied by the organisation;
  - d) that the organisation's Board, governance and management structure is capable of managing Conflicts of Interest which might impede the proper execution of accreditation activities;
  - e) the organisation's ability to provide accreditation services across the Jurisdictions in which it proposes 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.
- (3) The NatHERS Administrator may, in its sole discretion, approve an application by an Applicant Organisation to become an AAO.
- (4) The NatHERS Administrator may request further information from the Applicant Organisation about its application.
- (5) The NatHERS Administrator will consult with Jurisdictions before making a decision with respect to an application.
- (6) Applicant Organisations will be notified of the NatHERS Administrator's decision within three months of receiving all required and requested information.
- (7) 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.
- (8) The NatHERS 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.
- (9) AAOs may promote their status to the extent of the approval issued by the NatHERS Administrator.

## 11 Provisional Accreditation

- (1) Applicant Organisations may only be accredited for an initial 6 month Provisional Accreditation period if they have not been accredited in the 12 months prior to the approval of their application.
- (2) At the conclusion of the Provisional Accreditation period, the NatHERS Administrator will decide if full accreditation will be granted to the Applicant Organisation, based on an abridged-annual report including some or all of the following:
  - a) the Provisionally Accredited Organisation's performance in establishing policies and procedures for meeting the requirements of this Protocol; and

- b) the results of a 6 month QA review by the Provisionally Accredited Organisation; evidence of the Provisionally Accredited Organisation's financial performance for the period of Provisional Accreditation, audited according to the relevant Australian Accounting Standards; and any other information relevant to the Provisionally Accredited Organisation's expected ability to comply with the obligations of an AAO.

## 12 Conflict of Interest

- (1) The AAO warrants that, to the best of its knowledge after making diligent inquiry, at the date of agreeing to this Protocol no Conflict of Interest exists, or is likely to arise in the performance of its obligations under this Protocol, that has not already been disclosed to the NatHERS Administrator in writing.
- (2) The AAO must:
  - a) comply at all times with conflict of interest requirements outlined in the Declaration of Interest Form as long as it remains Accredited or Provisionally Accredited.
  - b) If at any time a Conflict of Interest arises, or appears likely to arise, while the AAO remains accredited, the AAO must immediately notify the NatHERS Administrator in writing and at the same time provide the NatHERS Administrator with a new completed Declaration of Interest Form; and
  - c) promptly disclose all relevant information to the NatHERS Administrator in writing, including steps the AAO proposes to take to manage the Conflict of Interest; and promptly take any steps reasonably required by the NatHERS Administrator to manage the Conflict of Interest, including any mitigation action as required by the NatHERS Administrator and as outlined in the Declaration of Interest Form.

## 13 Amendments of this Protocol

- (1) The NatHERS Administrator may make amendments to this Protocol at any time to ensure its currency and effectiveness. The NatHERS Administrator will consult with AAOs about all planned amendments.
- (2) Final amendments to the Protocol will be agreed by the NatHERS Steering Committee.
- (3) AAOs, the NatHERS Steering Committee, relevant state or territory regulators and relevant industry bodies will be notified of its publication.
- (4) The AAOs will be required within 3 months, or any other period set in consultation with the NatHERS Administrator, to:
  - a) make any necessary adjustments to its policies and operations to ensure compliance with the amended Protocol; and
  - b) advise their Assessors of amendments to this Protocol; and
  - c) advise the NatHERS Administrator of the date when the Protocol will come into force in the AAO policies and operations.

## Appendix A – Assessor Code of Practice

- (1) AAOs must include the following requirements in their Assessor Code of Practice and any other relevant requirement not listed below but contained in the text of the NatHERS Protocol for AAOs. AAOs may include additional requirements in their Code of Practice, provided they are consistent with the Protocol for AAOs and lawful. The AAO Assessor Code of Practice/Conduct must be provided to the AAO applicant and signed and dated by the applicant at the time of Accreditation.
- (2) To achieve and maintain their accreditation, Assessors must commit to:
  - a) a high level of diligence and professionalism to ensure 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) create and use NatHERS Certificates when using NatHERS Software to demonstrate compliance with a Jurisdiction’s application of the NCC;
  - e) not knowingly publishing false or misleading information about their accreditation or the Assessments they have undertaken, their AAO or NatHERS;
  - f) avoiding conflicts of interest with their clients for whom they do Assessments;
  - g) applying the relevant version of the NatHERS Technical Note and using the most recent version of NatHERS Software accredited at the time an Assessment is commenced for regulatory purposes. Where exceptional circumstances prevent the use of the appropriate version of the Software, the reasons must be documented and summarised in “the additional notes” of the NatHERS Certificate;
  - h) when requested by the AAO, providing a copy of all Assessments conducted for regulatory purposes to the AAO to which they are accredited;
  - i) 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;
  - j) maintaining a thorough knowledge of each Assessment and 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;
  - k) using the NatHERS name and logo only in accordance with the NatHERS Guidelines for using the NatHERS logo;
  - l) maintaining professional indemnity insurance commensurate with the volume and scope of the work they undertake with a minimum indemnity value of no less than \$1m;
  - m) cooperate with AAOs, NatHERS Administrator, relevant jurisdictions, regulators and clients by submitting assessments for review, including providing access to all relevant documentation such as assessment data files, plans and specifications upon which the Assessments are based, and respond to questions;
  - n) accepting the results of any reviews and diligently undertaking any remedial or Disciplinary Action required by the AAO;

- o) participating in the system for dealing with complaints about Assessors maintained by the AAO and responding promptly, diligently and with courtesy to any complaints;
- p) meeting at least the minimum requirements of the AAO's CPD program;
- q) advising the AAO promptly of any change in their circumstances that may affect their accreditation or application for accreditation;
- r) agreeing to release to the NatHERS Administrator any information in relation to their accreditation held by the AAO;
- s) keeping any information the Assessor collects on behalf of the NatHERS Administrator confidential; and
- t) only producing NatHERS certificates.

## Appendix B – Declaration of Interest Form

# Assessor Accrediting Organisations (AAOs)

### Declaration Form Guidance

#### Obligation to declare Interests

In accordance with section 7.1(5) of the Protocol for Assessor Accrediting Organisations – Version 2.2 (as updated or replaced from time to time), an AAO must:

- disclose details of any interest held by the AAO or its Key Personnel in connection with the Nationwide House Energy Rating Scheme (NatHERS) that is a material Conflict of Interest or has the potential to be a material Conflict of Interest; and
- take reasonable steps to avoid any Conflict of Interest (actual, potential or perceived) in connection with their role in the NatHERS.

#### What is a Conflict of Interest?

A Conflict of Interest is any interest (whether financial or non-financial), affiliation, circumstance or duty that:

- conflicts with an AAO's or its Key Personnel's (such as a Director, Board Member, Senior Executive or another Decision-maker within an AAO) ability to carry out their function or perform their duties in a proper and impartial manner, or
- is reasonably likely to be viewed by others as compromising or having the potential to compromise the AAO's or its Key Personnel's ability to carry out their function or perform their duties in a proper and impartial manner.

A Conflict of Interest may be:

- actual (a real, present conflict),
- potential (a circumstance which has not yet arisen, but which would constitute a conflict if it arose), or
- perceived (a circumstance that is reasonably likely to lead others to believe that there is a conflict).

A conflict may involve the possibility of financial gain or loss for the AAO or its Key Personnel, including a Key Personnel's immediate family or close associates. It may also arise in the absence of any financial connection, through a prior employment relationship, long-term personal relationship or other affiliation.

A Conflict of Interest can arise at any time, including situations where no previous Conflict of Interest existed. As new information becomes known or as circumstances change, it is important to assess whether any new or updated Conflict of Interest has arisen. Declarations 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.

*Note: The test is to ask whether it would be reasonable for a person to think that the judgment and objectivity of the AAO or its Key Personnel might be biased because of the interest(s) in question.*

For the avoidance of doubt, a Key Personnel is an individual with a clear ability to influence or make decisions on behalf of the AAO, and/or who undertakes duties and responsibilities on behalf of the AAO which includes, without limitation, having accountability and responsibility for implementing the policies and procedures as set by the NatHERS Administrator.

## Assessing materiality of a declared interest

For the purposes of this Declaration of Interest Form, all declared Conflicts of Interest will be assessed for materiality by the NatHERS Administrator and, if required, any mitigation action to be implemented.

'Materiality' depends on the circumstances of each declared interest and is a matter for the judgement of the NatHERS Administrator. To be 'material', an interest needs to be of a type that can give rise to an actual, perceived or potential Conflict of Interest. Declared interests do not give rise to a Conflict of Interest unless there is a real or sensible possibility of conflict and not simply a remote or theoretical possibility of conflict. If no reasonable person could draw a connection between the individual's private interest and their duties, then the private interest is not material.

Where a Conflict of Interest is determined by the NatHERS Administrator to be immaterial, it will typically require no further management. The mere fact of disclosure of immaterial Conflicts of Interest by AAOs, and consideration by the NatHERS Administrator (with further monitoring as appropriate), should be sufficient to manage any real or perceived risk to the delivery of NatHERS related functions or the integrity of the NatHERS.

Where a Conflict of Interest is determined by the NatHERS Administrator to be material, the NatHERS Administrator will determine the appropriateness of any management strategies that will need to be implemented by the AAO. If any management or mitigation strategies are required, the NatHERS Administrator will liaise with the AAO and its Key Personnel to implement them, and these will be recorded for transparency.

Mitigation strategies may include (but are not limited to):

- restrictions on the degree of permissible participation in activities related to the declared interest;
- implementation of a Conflict of Interest Management Policy;
- requirement to disclose further financial or non-financial details regarding AAO organisation structure and benefits; and
- divestment of interest or quarantining of roles.

Without limiting the NatHERS Administrator's role above in assessing appropriate mitigation strategies for declared Conflicts of Interest, for each Conflict of Interest declared, the AAO must agree to put in place a Conflict of Interest Risk Management Plan using one or more of the following mitigation strategies to manage their Conflicts of Interest in favour of NatHERS objectives:

**Relinquish:** The AAO / individual relinquishes the interest that is creating the conflict.

**Remove:** The AAO / individual removes themselves, or is removed, from the conflicting activity.

**Recruit:** Arrange for a non-conflicted third party to oversee part or all of the process that deals with the matter.

**Restrict:** Reduce the AAO / individual's involvement in the activity.

The strategies above are listed in the order preferred by the NatHERS Administrator. Where relinquishing or removing the interest is not possible (e.g. relationship with family), the AAO must attempt to manage the conflict in favour of the interests of NatHERS using one of the other mitigation strategies noted above. Where effective management using any of the above mitigation strategies is not possible, the AAO must refer the matter to the NatHERS Administrator for further discussion. The NatHERS Administrator may provide direction to AAOs in their development of a tailored Conflict of Interest Risk Management Plan.

The Conflict of Interest Risk Management Plan to be used for each declared Conflict of Interest is to be stated against the interest using the declaration below.



<b>Examples of potentially relevant interests</b>	
<p>The tables below set out some examples of Conflicts of Interest grouped by type and which may concern an AAO or its Key Personnel. In considering which interests to declare, AAOs and their Key Personnel should have regard to these tables to ensure that all actual, potential or perceived Conflicts of Interest have been declared.</p>	
<b>A. Examples of potential conflicts relating to the AAO</b>	
<b>Financial interests – direct</b>	<ul style="list-style-type: none"> <li>• Investments and/or shareholdings held in another NatHERS related entity or organisation.</li> <li>• Subsidiary arrangements with another NatHERS Related Body Corporate.</li> <li>• Business arrangements including subcontractor relationships with another NatHERS organisation, including an organisation or association that forms part of the AAO's corporate structure.</li> <li>• Financial interest or other financial benefit deriving from another NatHERS related entity or organisation.</li> <li>• Receipt of funding or similar from a NatHERS related entity or organisation.</li> </ul>
<b>Financial interests – indirect</b>	<ul style="list-style-type: none"> <li>• Sponsorship arrangements or marketing opportunities with another NatHERS related entity or organisation.</li> <li>• Engagement with subsidiaries, business partners, other NatHERS related entity's/organisations, or individuals involved in undertaking NatHERS related work, which involves the giving, or receipt of, business referrals.</li> <li>• Use of volunteers or other personnel to sell or influence individuals to seek additional training from the AAO</li> </ul>
<b>Other interests (Non-financial)</b>	<ul style="list-style-type: none"> <li>• Business engagements and relationships with buildings energy efficiency entities or similar that can give rise to a perception of conflict.</li> <li>• Advocacy arrangements – for example lobbying or other interest groups.</li> <li>• Sponsorships and affiliations with policy entities, political parties or other similar bodies.</li> <li>• Arrangements with other State, Territory or Local based governments (paid or unpaid) in the energy efficiency industry</li> </ul>
<b>B. Examples of potential conflicts concerning Key Personnel</b>	
<b>Financial interests – direct</b>	<ul style="list-style-type: none"> <li>• Investments and/or shareholdings held in a NatHERS related entity or organisation.</li> <li>• Directorship in a NatHERS related entity or organisation.</li> <li>• Financial interest or other pecuniary benefit deriving from a NatHERS related entity or organisation.</li> <li>• Executive or non-executive board membership (including advisory boards) on a NatHERS related board.</li> <li>• Paid employment (other than regular salary), including: <ul style="list-style-type: none"> <li>○ Consultancies;</li> <li>○ Commission fee-paid work;</li> <li>○ Expert advisory fees (provided on a regular or one-off basis);</li> <li>○ Board Member fees;</li> <li>○ Sponsorship or event engagements;</li> </ul> </li> <li>• concerning or related to the NatHERS.</li> <li>• Hospitality, including: <ul style="list-style-type: none"> <li>○ Travel grants (including flights, accommodation or conference fees, regardless of whether they are linked to speaking responsibilities);</li> <li>○ Food and/or beverage;</li> <li>○ Gifts and gratuities (including, wine, merchandise, or any gifts over AUD 50), received from a NatHERS related entity, organisation or individual who performs duties and responsibilities relating to the delivery of NatHERS, or students seeking NatHERS assessor accreditation.</li> </ul> </li> </ul>

<p><b>Financial interests – indirect</b></p>	<ul style="list-style-type: none"> <li>• Referral of students seeking NatHERS assessor accreditation to an RTO, software provider or another business, which is owned or controlled by a close associate, or the Key Personnel knows or has a relationship with someone who holds an interest.</li> <li>• Recommendation or appointment of NatHERS accredited assessors who are friends or family of the Key Personnel, or with whom the Key Personnel holds a close personal relationship.</li> <li>• The receipt of indirect benefits through the provision of promotional material relating to a close associate’s business.</li> </ul> <p><i>Note: Close associate means an immediate family member, relative or close friend.</i></p>
<p><b>Other interests (Non-financial)</b></p>	<ul style="list-style-type: none"> <li>• Business engagements and relationships with buildings energy efficiency entities or similar that can give rise to a perception of conflict.</li> <li>• Advocacy arrangements – for example membership with lobbying or other interest groups.</li> <li>• Sponsorships and affiliations with policy entities, political parties or other similar bodies, including political or charity donations.</li> <li>• Arrangements with other State, Territory or Local based governments (paid or unpaid) in the energy efficiency industry, including employment of close associates with these governments including as a volunteer.</li> </ul>

**Requirements when disclosing interests**

An AAO or its Key Personnel must:

- disclose details of any interest of the AAO or its Key Personnel in connection with NatHERS;
- take reasonable steps to avoid any Conflict of Interest, in connection with NatHERS;
- if an actual, perceived or potential Conflict of Interest arises while in the course of undertaking duties or responsibilities related to NatHERS, immediately notify the NatHERS Administrator;
- act as necessary to avoid or manage any declared interests, including as directed by the NatHERS Administrator; and
- revise and resubmit this declaration every 12 months as part of the annual reporting process and whenever there is a change in circumstances that gives or may give rise to a new Conflict of Interest.

An AAO or its Key Personnel must not:

- take, or seek to take, advantage of their role or obtain a benefit from another entity or from some other person in relation to the delivery of NatHERS;
- accept a benefit connected with an entity or individual’s role in NatHERS, without the oversight and consent of the NatHERS Administrator; and
- request, receive, nor obtain any benefit for the AAO or Key Personnel on the understanding that the exercise of their obligations or role will or may be influenced.

An AAO or its Key Personnel should, when providing details of a declared interest, outline any mitigation strategies that it has enforced, or proposes to undertake to manage the risks arising from any declared interest. This is to enable the NatHERS Administrator to properly assess the materiality of and any risks associated with a declared interest, and any actual or proposed mitigations, to ensure that the most robust management action is taken in respect of the declared interest.

An AAO and its Key Personnel should note that declaration of an interest will not be treated as detrimental to the ongoing or future approval of an entity as an AAO, rather it is required to demonstrate the AAO’s compliance with Conflict of Interest obligations.

AAO’s and their Key Personnel should note that the NatHERS Administrator may request the AAO to provide the NatHERS Administrator a copy of its conflict register (or similar) as part of the annual reporting process to assist in assessing compliance with Conflict of Interest Management obligations.

## Privacy Notice

Any Personal Information collected under this form is covered by this Privacy Notice. The AAO must ensure that this Privacy Notice and the above guidance is provided to all individuals that are requested to complete any part of this form or will have their Personal Information included in this form.

Personal information means 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.

The Department of Climate Change, Energy, the Environment and Water (department) (or any Commonwealth agency of department in the future that may hold the NatHERS Administrator) collects your personal information (as defined by the [Privacy Act 1988 \(Cth\)](#)) in relation to this form for the purposes of administering the Nationwide House Energy Rating Scheme (NatHERS) and related purposes, including maintaining the integrity of the department's processes and decision making.

The department may disclose your personal information to NatHERS stakeholders on a need to know basis, including other Australian Commonwealth/State agencies, persons or organisations where necessary for the above purposes, provided the disclosure is consistent with relevant laws, in particular the *Privacy Act 1988 (Cth)*. Your personal information will be used and stored in accordance with the Australian Privacy Principles.

Refer to the Australian Privacy Principles on the [Office of the Australian Information Commissioner website](#) to learn more about accessing or correcting personal information or making a complaint. Alternatively, email the department at [privacy@dcceew.gov.au](mailto:privacy@dcceew.gov.au).

## Deed of Conflict(s) of Interest Declaration

This Deed is made in the favour of the Commonwealth of Australia as represented by the Department of Climate Change, Energy, the Environment and Water (ABN 63 573 932 849) (or any Commonwealth agency of department in the future that may hold the NatHERS Administrator) by [Insert legal name and ABN of AAO] on [Insert date].

### Part A: AAO acknowledgement of responsibilities

I [Insert Name] am an authorised officer of [Insert name of AAO] (the AAO), declare on behalf of the AAO that:

1. the AAO has read the
  - 1.1. Protocol for Assessor Accrediting Organisations – Version 2.2 including Appendix B – Conflict of interest Policy, and
  - 1.2. any other policies and guidelines on declarations of interests (as listed in Part D of this Declaration Form) that have been put in place and require the AAO and/or its Key Personnel to declare any Conflicts of Interest which could influence, or could reasonably be seen to influence, the duties of the AAO or the decisions or advice given by its Key Personnel.
2. the AAO is aware of and will ensure its Key Personnel are aware of responsibilities under the Protocol for Assessor Accrediting Organisations – Version 2.2 (as updated or replaced from time to time) to:
  - 2.1. take reasonable steps to avoid any Conflict of Interest, and
  - 2.2. disclose details of any Conflict of Interest connection with the AAO's delivery of NatHERS functions or circumstances that can be seen to compromise the AAO's duties.
3. the AAO will not and will ensure its Key Personnel do not make improper use of inside information, or duties, status, power or authority to obtain a direct or indirect benefit.
4. the attached list at Part B sets out the Conflicts of Interest for the AAO; and
5. the attached list at Part C sets out a list of AAO Key Personnel and their declared Conflict of Interests (using the form in Annexure A of this Declaration), which has been prepared on the basis of their roles and responsibilities within the AAO.
6. the AAO will inform the NatHERS Administrator of any changes to the AAO's or its Key Personnel's circumstances that could affect the contents of this declaration and to provide an amended declaration/s using this pro forma within 10 working days of becoming aware of the new circumstances.
7. Key Personnel have been asked to declare any material interests of their immediate family, relatives and close friends that they are aware of, should circumstances arise in which the Key Personnel consider that

- they could influence, or could reasonably be seen to influence, the decisions the Key Personnel take or the advice they give.
8. consent to make the disclosure has been obtained from each Key Personnel, including their immediate family, relatives and close friends (where applicable) to the collection of personal information by the NatHERS Administrator. All individuals that have provided their personal information have been made aware of the purpose for which the personal information has been collected, the legislative requirements authorising the collection and the third parties to whom the personal information may be disclosed, as described in the privacy notice attached to this form.
  9. the AAO will make available to its staff and Key Personnel training and support regarding their obligations in relation to declaring and managing Conflicts of Interest.
  10. the AAO will work collaboratively with the NatHERS Administrator to implement any mitigation strategy or action required to manage a declared Conflict of Interest.

<b>Signature of authorised officer:</b>		<b>Date:</b>	
<b>Full name of authorised officer:</b>			
<b>AAO:</b>			

**Part B: AAO declaration of material interests**

<i><b>Please list in this column, any Conflicts of Interests, actual, perceived or potential, which could influence or reasonably be seen to influence, your roles and responsibilities as an AAO:</b></i>	<i><b>Please list any mitigation strategies that the AAO has put in place to avoid or manage the declared Conflict of Interest:</b></i>
<b>Useful information:</b> State the specific interest identified (e.g. subcontractor or subsidiary relationship, marketing arrangements, conflict of duty etc.) and detail how this raises an actual, potential or perceived Conflict of Interest with the AAO’s duties and functions.	

As an authorised officer of the **[Insert name of AAO]**, I declare that to best of my knowledge, I have fully disclosed all known actual, perceived or potential conflicts of interest for the AAO. Further, I declare that any Conflict of Interest Risk Management Plan described above (where required, or requested by the NatHERS Administrator) has been put in place to effectively manage any actual, perceived or potential Conflict of Interest declared by the AAO. On behalf of the AAO, I declare that the AAO will adhere to any Conflict of Interest Risk Management Plan set out in Part B or further advised by the NatHERS Administrator to ensure that the integrity of NatHERS is adequately protected.

<b>Signature of authorised officer:</b>		<b>Date:</b>	
<b>Full name of authorised officer:</b>			
<b>AAO:</b>			

Part C: List of Key Personnel	
<i>Please list all Key Personnel identified within the AAO and then list if they have an actual, perceived or potential Conflict of Interest, which has been declared in compliance with this form:</i>	<i>Please confirm that a Key Personnel Declaration of Interest has been attached for each Key Personnel, using the form in Appendix A (including a Close Associates consent form, if required, using the form in Appendix B), including whether or not they have any interest to declare:</i>
1. [Insert Full Name]	Yes/No
2. [Insert Full Name]	Yes/No
3. [Insert Full Name]	Yes/No
4. [Insert Full Name]	Yes/No
5. [Insert Full Name]	Yes/No
6. [Insert Full Name]	Yes/No

Part D: Other Conflict of Interest policies or guidelines
Please list any other Conflict of Interest policies and guidelines that the AAO adheres to:

Declared and executed as a deed by [INSERT NAME OF AAO AND ABN/ACN] by the office holders of the AAO:

*[Note: Insert applicable execution block below. AAOs may replace the execution block below with another applicable to their corporation, as long as the execution block complies with all applicable laws. If the Deed is signed by an authorised officer or committee members of the AAO, the AAO must provide the NatHERS Administrator a copy of the authorisation instrument or corporation rules setting out the authority to bind the AAO.]*

\_\_\_\_\_  
Signature of office holder

\_\_\_\_\_  
Signature of office holder

\_\_\_\_\_  
Full name of office holder of [INSERT NAME]

\_\_\_\_\_  
Full name of office holder] of [INSERT NAME]

DATE:

DATE:

**Appendix A to Declaration of Interests Form – Key Personnel Conflict of Interest Declaration**

I **[INSERT NAME OF KEY PERSONNEL AND ROLE IN AAO]** declare that:

1. I am aware of my responsibilities to take reasonable steps to avoid any conflict of interest, real or apparent, and disclose details of any interest in connection with **[Insert name of AAO]** (the AAO).
2. I will not make improper use of inside information, or my duties, status, power or authority. I have read and understood all policies and guidelines on declarations of interests that have been put in place that require me to declare any interests which could influence, or could reasonably be seen to influence, the decisions I take or the advice I give.
3. This declaration has been prepared on the basis of my roles and responsibilities in the AAO.
4. I undertake to inform the NatHERS Administrator of any changes to my circumstances that could affect the contents of this declaration and to provide an amended declaration/s using this pro forma within ten (10) working days of becoming aware of those new circumstances.
5. I undertake to declare any material interests of my immediate family that I am aware of, should circumstances arise in which I consider that they could influence, or could reasonably be seen to influence, the decisions I take or the advice I give.
  - a. I understand that this would require the consent of the family member to the collection of personal information by the NatHERS Administrator. I undertake to request my family member to provide a declaration (in the form of Appendix B) that they consent to providing their Personal Information and is aware of the purpose for which the personal information has been collected, the legislative requirements authorising the collection and the third parties to whom the personal information may be disclosed, as described in the privacy notice attached to this form.

**[Delete whichever is inapplicable]**

Having made all reasonable inquiries, I do not have any relationship or interest (whether financial, professional, private, or other) that gives rise to an actual, perceived or potential conflict with my roles and responsibilities within the AAO.

**OR**

Having made all reasonable inquiries, I have the following interests (whether financial or non-financial, direct or indirect, or other) which could result in, or could be perceived by others to be likely to result in, an actual, perceived or potential conflict with my roles and responsibilities within the AAO.

<b>Declared interests</b>	
<i><b>[Please list any Conflicts of Interests, actual, perceived or potential, which could influence or reasonably be seen to influence, your roles and responsibilities as a Key Personnel of an AAO]</b></i>	<i><b>[Please list any mitigation strategies you have put in place or propose to put in place to avoid the Conflict of Interest, actual, perceived or potential]</b></i>

If any interests are declared above, I agree to take such reasonable steps as are or may be required by me by the AAO or by the NatHERS Administrator to ensure that my involvement with the NatHERS does not compromise its integrity or delivery.

I will immediately inform the AAO and the NatHERS Administrator if my circumstances change in such a manner as to affect the accuracy of the statements made above.

By completing and submitting this form I consent to the collection by the Department of Climate Change, Energy, the Environment and Water (or any Commonwealth agency of department in the future that may hold the NatHERS Administrator) of all Personal Information contained in this form and confirm I have read the Privacy Notice.

**Declared and executed as a deed by [INSERT NAME] in the presence of:**

\_\_\_\_\_  
Signature of Key Personnel

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Full name of Key Personnel

\_\_\_\_\_  
Full name of witness

**DATE:**

**DATE:**

**Appendix B to Declaration of Interests Form - Consent by Close Associate**

*This form is to be completed by immediate family member/s, relative and close friends, should circumstances arise in which the Key Personnel considers that financial and other interests of close associates could or could be seen to influence the Key Personnel's actions or judgment.*

NAME OF CLOSE ASSOCIATE: \_\_\_\_\_  
RELATED TO: \_\_\_\_\_  
RELATIONSHIP: \_\_\_\_\_

Please list any private interests or relationships which could or could be seen to influence the Key Personnel's actions or judgment.

*The types of interests and relationships that may need to be disclosed include real estate investments, shareholdings, trusts or nominee companies, company directorships or partnerships, other significant sources of income, significant liabilities, gifts, private business, employment, voluntary, social or private relationships that could or could be seen to impact upon the person's responsibilities.*

I am aware that my information has been collected for the purpose of identifying interests that could (or could be seen) to influence the Key Personnel's actions or judgment. I am aware of the Privacy Principles set out in the *Privacy Act 1988* (Cth) which authorise the collection and the third parties to whom my personal information may be disclosed. I consent to the collection of my personal information by the Department of Climate Change, Energy, the Environment and Water (or any Commonwealth agency of department in the future that may hold the NatHERS Administrator).

Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_



## Appendix C – Training requirements for accreditation in Additional Software tools

### (1) General

- a) Assessors may only be accredited in more than one software tool if they have completed one of the Certificate IV qualifications listed in section 3.1, which includes training in at least one NatHERS Accredited Software Tool. They must also have completed a training course for the Additional Software Tool that meets all of the requirements of this appendix.
- b) The training provider can assume that participants will have considerable prior knowledge in performing home energy performance assessments gained from the attainment of a relevant Certificate IV qualification. Therefore, this course need only focus on the technical aspects of using the Additional Software Tool.

### (2) Minimum course content requirements

- a) A course designed to meet the requirements of this appendix must, at a minimum, ensure an assessor is competent in the use of the software tool in regard to the following aspects:
  - i. Main features of user interface
  - ii. Starting a new project (including importing plans if applicable)
  - iii. How Class 2 projects work in terms of single apartments versus whole buildings
  - iv. Finalising a project and producing a NatHERS Certificate(s) and stamp(s)
  - v. How to get help, support or assistance using the tool
  - vi. Modelling specific objects in either Class 1 or Class 2 dwellings, including:
    - Uninhabited zones (e.g. subfloor spaces and attics)
    - Ceiling Fans
    - Ceiling Penetrations
    - Ceilings & Roofs
    - Wall
    - Floors
    - Windows
    - Doors
    - Horizontal Openings between Levels
    - Skylights & Roof Windows
    - Shading Objects (such as Horizontal, Vertical & External Screen shading schemes)
    - Fixed appliances as relevant to a Whole of Home Assessment
    - On-site energy generation and storage as relevant to a Whole of Home Assessment.
  - vii. How to model all relevant NatHERS modelling situations such as, but not limited to:

- Complex geometry (such as split levels & clerestory windows)
  - Setting adjacencies
  - Use of custom windows from the NatHERS window library
  - Ceiling floor & wall constructions (including custom creation & reflective air-gaps as applicable)
  - Walls in contact with ground
  - How reflective air gaps are set
  - Wing walls
  - How colour/absorptance is set (as applicable)
  - Double-storey with a double-height void (Class 1)
- viii. How to use the 'Whole of Home' modules to assess the impact of:
- Heating and cooling systems
  - Water heating systems
  - Lighting
  - Pool/spa pumps
  - On-site energy generation and storage (e.g. solar panels and batteries)
- b) To cover the majority of the software tool features, the course must consist of, at a minimum, the following building designs:
- i. a two-storey Class 1 home, with, as a minimum:
    - A double height void
    - A skylight
    - A roof window
  - ii. a Single Occupancy Unit of a Class 2 apartment with the following adjacencies:
    - basement carpark zone underneath
    - apartment above
    - apartment / neighbour to a wall
    - adjacent glazed corridor to a wall
    - outside air to a wall.

### **(3) Trainer requirements**

- a) The training may be delivered online, face-to-face or a combination of both.
- b) The training must be developed and delivered by an expert in the software tool for which they seek to provide training in. For the purposes of compliance with this Appendix, an expert is defined as someone who meets at least one of the following requirements, as assessed by the NatHERS Administrator:
  - i. Was involved in the development of the software tool;
  - ii. Was involved in writing the official software tool user manual or help files;
  - iii. Has been recently employed by the software tool developer on the software tool helpdesk;

- iv. Delivers or has recently delivered training in the use of the software tool for Registered Training Organisations or Software Tool Developers; or
  - v. Is recognised by the software tool provider as an expert in using their software tool.
- c) The NatHERS Administrator will manage trainer endorsement. The suitability of the trainer will be judged against the requirements of section 3(2) of this appendix and feedback from the AAOs. The NatHERS Administrator will notify AAO's of endorsed trainers and courses, and these will be listed on the NatHERS website.

**(4) Minimum assessment requirements**

- a) Assessment within the Training should provide an appropriate mix of questions and answers, and assessment of actual software tool use, to ensure the applicant is competent in the use of the software tool.
- b) At least 50% of the minimum course content requirement (section 2 of this appendix) must be assessed via assessment of actual software use.
- c) To aid the learning experience, applicants may be given feedback on incorrect multiple choice answers in the form of a second chance to get the correct answer. If a second incorrect choice is made on the same question, the correct answer may be revealed, but the applicant must be marked as incorrect for the purposes of tallying the final assessment score.
- d) The following assessment accuracies apply:
  - i. Question and answer assessment (if used): minimum 80%
  - ii. Dwelling features are accurately modelled: 90%
  - iii. Modelled star rating: within 0.2 stars of the assessment case study
  - iv. Applicants that fail the course may elect to redo the entire course (learning modules and assessments).

**(5) Minimum documentation requirements**

At the successful completion of the course, a certificate stating topics covered, date completed, assessor name, certificate number and details of the assessment including software version No. must be provided to the Applicant. Records must be kept so that AAOs can contact the training provider for confirmation of the course completion.