

Code of Conduct



NABERS UK Licensed Assessor Code of Practice

Introduction

NABERS UK is a performance-based rating system that measures an existing building's environmental performance during operation and is an adaptation of the highly successful rating programme NABERS that operates in Australia. It is designed to enable building owners and managers to benchmark environmental performance and get market recognition for their performance. The more stars, the better the performance.

Licensed Assessors are responsible for providing licensed ratings to existing buildings only using actual performance data. There is no other way for a building to obtain an licensed rating except by using an Licensed Assessor.

Licensed Assessors report to BRE.

Purpose

This Code of Practice has been developed to assist the Licensed Assessor gain a clear understanding of their responsibilities and obligations. The intention of this Code is to ensure that all Licensed Assessors operating under NABERS UK do so in a manner that is consistent with the standards and procedures that form a part of the NABERS UK scheme.

It is a condition of licensing under the NABERS UK Assessor agreement that Assessors must comply with the Code of Practice. BRE may amend the Code of Practice from time to time by notice in writing to the Licensed Assessor.

Any dispute in respect of this Code of Practice shall be dealt with under the NABERS UK Dispute Resolution Policy.

Code for Best Practice

The Licensed Assessor shall:

- Exercise due skill, care and diligence in the performance of their duties.
- Act in accordance with the NABERS UK Operations Manual. These policies and procedures are amended periodically and are available.
- Complete licensed ratings in accordance with the NABERS UK Rules for Energy for Offices and NABERS UK Rules for Metering and Consumption, any published NABERS UK Rulings and any technical advice provided by BRE, and submit an application for a licensed rating and certificate on behalf of the customer.
- Complete the required tasks for a customer as soon as it is reasonably practicable.

- Inform customers or potential customers of their responsibilities and the implications of the scheme by referring them to the NABERS UK website at www.bregroup.com/nabers-uk.
- Confirm the customer and the assessor agree with the terms and conditions to complete the application process. Once approved by both parties the assessor lodges the application with BRE for processing.
- Provide their own time to assist in the conduct of any audits and immediately act to remedy any issues raised during an audit, this includes audits of ratings performed under previous agreements. It is not the discovery of an error, but the failure to remedy that error that is to be considered grounds for the license being revoked.
- Not make disparaging remarks, whether in commentary at public events or in materials intended for publication, about the NABERS UK program or BRE's administration of the NABERS UK Program that could reasonably be expected to damage the reputation of or goodwill toward the NABERS UK program, negatively reflect on the NABERS program or adversely affect the viability of the NABERS UK program.
- Provide BRE with seven (7) days' notice of any public events at which they will be providing commentary on the NABERS UK program and provide any such papers for BRE's review and approval.
- Not speculate on future policies related to the NABERS UK program unless using wording directly from NABERS UK publications or otherwise approved by BRE.
- Promote the use of the NABERS Trademark to all commercial customers, and provide or arrange to provide those commercial customers that are eligible to use the NABERS Trademark, with the Brand Guidelines describing the use of the NABERS Trademark by commercial customers.
- Act on their own behalf and not represent themselves as acting on behalf of another individual or organisation without authority.
- Have a working knowledge of all relevant regulations in place such as trade practices legislation.
- Act promptly, fairly, and honestly with all available information and work to the standard reasonably expected by a practitioner in the industry.
- Not mislead or deceive any parties in negotiations or transactions.
- At all times be aware of the confidentiality of information and not use or disclose this information for any purpose other than that required under the terms of the NABERS UK scheme.
- Not accept a fee or commission from any person other than the customer or the customer's agent in relation to services provided under the NABERS UK scheme.

- Only receive a fee for providing a rating certificate regardless of the final rating. A bonus of any kind, or commission based on the number of stars achieved is strictly prohibited.
- Disclose to BRE any potential conflict of interest when making an application for an Licensed Rating and Certificate. Failure to notify a potential conflict of interest, whether real or perceived, will lead to the license being revoked.

Conflict of interest

A conflict of interest can be broadly defined as a situation where your actions as an Licensed Assessor may be at odds with another role where there are circumstances which mean that:

- The NABERS UK Assessor is not capable of exercising objective and impartial judgement when conducting the NABERS rating; or
- A reasonable person, with full knowledge of all relevant facts and circumstances, would conclude that there is a real risk that the NABERS UK Assessor would not be capable of exercising objective and impartial judgment when conducting the NABERS rating.

This conflict may be seen to encourage a rating that is either higher or lower than a true rating. This can include but is not limited to the following situations:

- The Licensed Assessor is employed by the building owner,
- The Licensed Assessor is employed by the building manager,
- The Licensed Assessor is employed by the building energy consultant, or
- The Licensed Assessor is employed by a competitor of the above.

It is acknowledged that a conflict of interest may occur in a large number of cases. The purpose of this Code is to encourage full disclosure rather than to prohibit work in these areas or prevent Licensed Assessors from seeking work in any area they may choose. The Code is intended to ensure that all potential conflicts of interest are known and openly understood by all parties and that Licensed Assessors act in the best interest of NABERS UK, rather than any other interests.

Failure of the Licensed Assessor to declare a conflict of interest may result in BRE withdrawing the license.

Retraining

The Licensed Assessor may need to undergo retraining or re-examination at their own cost in accordance with the requirements of the Operations Manual (as amended from time to time).

Failure of the Licensed Assessor to attend training or an examination, when notified by BRE that training or examination is required, may result in BRE suspending or withdrawing the license.