

# Northgate Energy Assessor Code of Conduct - SCOTLAND ONLY

## 1. Introduction

- 1.1 This document covers the code of conduct required of all EAs that are members of the Northgate EA Accreditation Scheme, and is the code by which the quality of the scheme and its members will be measured.
- 1.2 This Code of Conduct sets out the principles of professional behaviour and relevant procedures that must be applied by all EAs on each assessment they undertake.
- 1.3 Regulations will be put in place to ensure that EAs are following the guidelines and action will be taken if it is felt that a EA is not observing them. This Code of Conduct is linked with the Scheme's Disciplinary and Grievance procedures, which may be called into effect, in those instances where it is felt that a EA is not observing them correctly.

## 2. Purpose

- 2.1 The purpose of the Code of Conduct is to;
  - 2.1.1 Set out the rules and standards the EAs are expected to apply and provide the property owner, tenant or other legitimately interested party with clarity and confidence on the expected conduct of visiting EAs.
  - 2.1.2 Define best working practices for EAs to maintain with the objective of ensuring a consistent standard of quality across all EAs.
  - 2.1.3 Promote confidence in the professional integrity of the Accreditation Scheme, the members it holds and in the assessment reports that are produced.

## 3. Application

- 3.1 EAs are responsible for ensuring that they fully understand and comply to the Code of Conduct. There will be monitoring against this code and may, if need be, called to explain their behaviour if it is felt to have fallen below the defined standard set by the Scheme.
- 3.2 The Scheme is responsible for ensuring that all new EAs joining the scheme are fully briefed on the purpose and importance of the Code of Conduct and that all members are kept up-to-date with any amendments or clarifications made as part of the Scheme's continual improvement review process.

## 4. Professional Behaviour

- 4.1 Attire and presentation must be clean, smart and presentable at all times and must not be seen to cause any potential discomfort or concern for any member of the public.
- 4.2 The EA is expected to act with professional honesty and integrity at all times, and with respect to the members of the public, the Scheme and its fellow members.
  - 4.2.1 They must treat the sellers or landlord's personal information and details about their property as private and confidential, even when they are no longer a customer of the EA.
  - 4.2.1 They must not reveal any personal information about the seller or landlord unless they have specific permission by the seller or landlord or that the EA has a professional or common law duty to reveal by law.
- 4.3 The EA must operate in an open and fair manner, both in their dealings with the public during an assessment and with regards to their relationship with the Scheme and their fellow members and must not at any stage behave in a manner that would offer compromise to the Scheme, a fellow member, the professional qualifications they hold.
- 4.4 EAs are required to disclose to the Scheme any or all of the following matters;
  - 4.4.1 They have been charged or convicted of a criminal offence.
  - 4.4.2 That they have been referred for a disciplinary hearing by another certification scheme, professional body trade association or regulatory body.
  - 4.4.3 That a disciplinary allegation has been found proven against them by another certification scheme, professional trade association or regulatory body.
  - 4.4.4 An instruction exists against them of bankruptcy or directors' disqualification order or the making of a bankruptcy or directors' proceedings are being taken.
  - 4.4.5 They are entering into an individual voluntary arrangement with creditors.
- 4.6 The Scheme requires EAs to act responsibly in safeguarding the integrity of the Scheme and its members and would expect to be informed if there was belief that the conduct of another EA member was questionable and which may require further investigation.
- 4.7 A EA may be called upon to assist with professional impartiality in a disciplinary inquiry relating to another EA member.
- 4.8 Energy Assessors must not unlawfully or unjustifiably discriminate against any individual in their practices as EAs. They must not discriminate against any individual on the basis of gender, race or disability; or allow their views of lifestyle, culture, belief, gender, sexuality or age of others to prejudice their professional practice.

## **5. Professional Qualification, Standards & Experience**

- 5.1 EAs must recognise the limits of their professional competence and not take on or advise on matters that are outside of their technical expertise or experience.
- 5.2 EAs must keep their professional skills up-to-date, as part of the lifelong learning initiative, seeking further training/assistance as required to keep their level up to the required technical and procedural standards.
- 5.3 Additional training and experience gained must be recorded and notified to the Scheme, and the EA must keep sufficient records to be able to provide evidence of the updates provided.
- 5.4 The EA must observe and keep up-to-date with laws and statutory codes of practice that affect their work.
- 5.5 The taking of site notes, photographs and drawings during/after an assessment visit may only be taken in direct relation to the assessment and must be available for inspection by the Scheme on request.
- 5.6 EAs must ensure that all EPCs undertaken by them are covered by adequate and appropriate indemnity insurance covers, as prescribed in the insurance standards adopted by the Scheme.

## **6. Complaint, Disciplinary and Grievance**

- 6.1 The EA must notify the Scheme if a complaint has been raised about them and the EA will be expected to follow the correct procedures to notify and document the complaint, keep records on resolving the complaint (which will be monitored by the Scheme) and, if necessary, escalate to the Scheme to arbitrate an unresolved complaint.
- 6.2 The Scheme provides for a full disciplinary, grievance and appeals process for any inquiry that is needed into a EA, either directly as a result of a complaint or due to some situation that the Scheme itself feels is necessary to address through this route.

## **7. Conflicts of Interest**

- 7.1 EAs must at all times provide an unbiased opinion and must not give or accept any inducement, gift or hospitality that may affect or may be seen to affect their judgement.
- 7.2 Before carrying out an assessment, EAs must be satisfied that the seller has been provided with written information concerning whether the EA has any personal or business relationship with any person involved in the sale of the property and that the seller has signed a declaration that they understand the implications of the information
- 7.3 If a EA is scheduled with an assessment where there is a conflict of interest in terms of a personal or professional relationship with any person involved in the

sale of that property, then the EA must notify the Scheme of this in advance and confirm that the seller has signed the declaration of understanding.

- 7.4 If, during the course of the assessment or production of the EPC, a conflict of interest arises, the EA must obtain the relevant written consent as defined above and may then continue with the assessment. If such consent is not obtained, the EA must terminate the visit and arrange for an alternative visit.
- 7.5 The EA must ensure that there is no conflict of interest in terms of a personal or business relationship with any person or organisation which provides goods and / or services which may relate to the production of an EPC by the EA. If a householder asks for advice regarding supply of such goods and / or services, then the EA must refer the householder to an independent body such as the Consumer Association, The Energy Saving Trust or the Carbon Trust or the equivalent bodies in Scotland.

## **8. Energy Assessments**

- 8.1 EAs must comply with the requirements of the Scheme and its governing legislation.
- 8.2 They must not, at any time, seek to abuse their position as an Energy Assessor or seek to exploit others' lack of knowledge of the property buying / selling / renting process.
- 8.3 They must not engage in conduct that will damage the reputation of Energy Assessors, reduce public confidence in the Certification Scheme or in the Energy Performance Certification process or the trust in lenders and other professional organisation who rely on their work.
- 8.4 EAs must only act if competent to do so and must carry out their work with reasonable skill, care and with respect to owners and tenants and their properties.
- 8.5 Where a visit is required, on the day of an EPC assessment, the EA must observe the following;
  - 8.5.1 Before asking to enter the property, the EA must ask to speak to the person whose name was provided when the visit was booked in, produce their ID badge and confirm their name, the purpose of their visit, who arranged the visit and what the booking reference provided for that visit was.
  - 8.5.2 The customer must be comfortable to allow the EA into the property at that time.
  - 8.5.3 In the case of domestic properties, if there are children alone in the house, then the EA must not carry out the assessment and must report back and rearrange the visit.
  - 8.5.4 Permission must have been granted by the customer before taking any photographs required for the assessment, regardless of whether the customer is to be present during the assessment. Customers must be invited to look at the photographs before completion of the assessment.

- 8.6 The EA must be cognisant of both the customer's comfort and their own during an assessment and must;
- 8.6.1 Make reasonable adjustments to their behaviour if they sense that the customer is feeling uncomfortable with them.
  - 8.6.2 The EA must be prepared to leave the property at any time during the assessment if asked to do so by the customer for whatever reason. On exit, this must be immediately reported to the Scheme with the reason provided so that the appropriate next step may be taken.
  - 8.6.3 Make polite excuse to leave the property if the EA themselves, at any point and for any justifiable reason, feels uncomfortable in the presence of the customer and feel unable to continue with the assessment without compromising their professional position or their own safety. Again, on exit, this must be immediately reported to the Scheme with the reason so that appropriate next steps may be taken.

## 9. Information for the Seller

- 9.1 A EAs offer to the property owner to perform services whether direct or through a third party, must be clear and truthful and contain all relevant pre-contractual information.
- 9.2 When offering to provide a service to produce an EPC, EAs must be satisfied that the property owner is provided with details in writing of:
- 9.2.1 the terms, conditions and costs associated with instructing the EA;
  - 9.2.2 the key features of the EPC; their right to see any personal records EAs hold about them what use that may be made of the data collected by EAs;
  - 9.2.3 the fee for the work, including any tax and duties;
  - 9.2.4 how and when the EPC will be delivered;
  - 9.2.5 the policy and procedure for cancellation of services and the payment of refunds;
  - 9.2.6 the complaint and redress procedures; and
  - 9.2.7 a reference to this Code.

## 10. Advertising & Marketing

- 10.1 Advertising and marketing information for the EA must comply with statutory and national standards and be honest and truthful.
- 10.2 EAs must not engage in any commercial practices that are, or could be, misleading not must they seek to exploit the trust vulnerability or lack of experience of buyers, sellers, landlords, tenants or lenders.