

Quidos

Excellence in Efficiency

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Accreditation Scheme Code of Conduct

Preamble

As an Assessor/Coordinator Accreditation Scheme, Quidos strives to ensure the integrity, professionalism and quality of our assessors, and the reports they produce. This Code of Conduct applies to all strands that assessors can be accredited to with Quidos: Domestic (On-Construction), Domestic (Existing Building), Non-Domestic (Levels 3-5), Public Building, Air-Conditioning Systems (Levels 3 & 4), Legionella, Section 63 and Retrofit Assessments/Projects.

Assessors should read this document in conjunction with:

- National Occupational Standards (NOS) for Energy Assessors (Strand Relevant Version);
- Quidos Terms and Conditions;
- Quidos Membership Agreement;
- QA Standards (Strand Relevant Version).
- Complaints, Disciplinary and Appeals Procedure.
- Trustmark Code of Conduct and Customer Charter (Retrofit Assessors and Coordinators only)
- PAS 2035 (specifically Annex A) (Retrofit Assessors and Coordinators only)

Glossary of Terms

“Scheme” shall refer to Quidos Ltd as the approved accreditation scheme;

“Assessor” shall mean the individual accredited by Quidos to undertake assessment on the appropriate strand

“Accreditation” shall refer to the official recognition of an Assessor’s qualifications to undertake a specific assessment strand;

“GDPR” shall refer to General Data Protection Regulation

“Membership” shall refer to the agreement between the Scheme and Assessor in order to facilitate practice via accreditation;

“Report” shall refer to the recognised assessment calculation output for the appropriate strand;

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“Property” shall refer to a domestic dwelling or commercial premises where the assessment is being undertaken;

“Central Register” shall refer to the central National lodgement depository for valid Energy Assessment Reports.

“Data Warehouse” shall refer to industry facing repository of information about work undertaken and the property being improved under a Retrofit Project.

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1. INTRODUCTION

1.1 The purpose of this Code of Conduct is to ensure that all Members accredited with Quidos, produce reports in accordance with the required legislation, frameworks, codes of practice and the NATIONAL OCCUPATIONAL STANDARDS (NOS) for the strand of accreditation relevant to the field in which they are accredited to work. This Code of Conduct will be made publicly available.

1.2 In the event of any discrepancies or conflicting interpretation, persons must refer to the relevant Accreditation overarching document for which the Scheme is to abide by in order to clarify those issues. The overarching documents are: 'MHCLG Scheme Operating Requirements' (for England & Wales and Northern Ireland Accreditations) and as adopted for Crown Dependencies, the 'Operating Framework for Approved Organisations' (for Scottish Accreditations) and the Trustmark Standard Framework and Code of Conduct (Retrofit Assessors and Retrofit Coordinators) in conjunction with the PAS 2035.

1.3 Members creating EPC reports should always bear in mind that the principal purpose of the report is to:

SATISFY THE REQUIREMENTS OF THE EU DIRECTIVE 2010/31/EU OF 19 MAY 2010 ON THE ENERGY PERFORMANCE OF BUILDINGS DIRECTIVE AND AS AMENDED.

1.4 For Section 63 Energy Assessors, there is the requirement to undertake assessment and lodgement activity in accordance with provisions identified in the SECTION 63 PRACTITIONER HANDBOOK and further operating conventions published by the Building Standards Division of the Scottish Government.

1.5 For Retrofit Assessments (Retrofit Assessors) and Retrofit Projects (Retrofit Coordinators) all members must abide by the requirements as set out in the PAS2035:2019 (criteria relevant to your role) as well as the Trustmark Framework Operating Requirements, Code of Conduct and Customer Charter.

1.6 All members shall agree to abide by this Code of Conduct, Quidos Terms & Conditions, Quidos Complaints, Disciplinary and Appeals, the Membership Agreement and any additional frameworks and standards required as per the members strand.

2. GENERAL

2.1 Members shall act in a responsible and professional manner at all times, providing transparent information relevant to the service you're providing.

2.2 Members shall not act in a manner which shall bring the Scheme, the Industry, and/or Reports into dispute.

2.3 Members will either be covered by the Scheme's Professional Indemnity and Public Liability insurance, or will provide their own validated cover before assessment of a dwelling, preparing and lodging reports.

2.4 All members can request a copy of the Scheme Insurance details by emailing the Accreditation Team on gas@quidos.co.uk.

2.5 Members will have a process in place to communicate the reason for any charges relating to an assessment in advance to ensure understanding by the consumer.

2.6 Members will inform Quidos of any updated personal details.

2.7 Members will apply logos in line with the 'Quidos Use of Logo' requirements procedure.

3. Producing Valid Reports/Assessments

3.1 The Terms upon which the Report is prepared

3.1.1 The terms on which the Report is prepared govern the extent of the duties of Members in producing Reports. They are mandatory and cannot be altered, restricted or expanded.

3.1.2 Members owe a defined duty of care to owner/occupiers, potential buyers, buyers, and lenders.

3.1.3 If members undertake other professional services relating to the property, they are not acting as Assessors in respect of that other work, even if this is carried out during the same visit. Such services, which may include energy advice to owner/occupiers and buyers, shall be covered by separate contracts.

3.1.4 Where relevant, the member shall include, within the Report, a declaration of any personal or business relationship (other than in relation to producing the certificate), that they have with:

3.1.4(a) The person who commissioned the Report;

3.1.4(b) Any person on whose behalf the Report was commissioned;

3.1.4(c) Any person who he believes has or may have a personal or business relationship to the person detailed above;

3.1.4(d) Any person who has, or may have, an interest in the building.

3.1.5 Members shall also disclose a financial and/or personal relationship with others involved in the transaction, for example where their employer is also the person commissioning the report.

3.1.6 The terms on which the Report is prepared and which govern their delivery are considered to be of high importance. Members shall understand them and be able to explain them to consumers.

3.2 Duty of Care

Established Legal precedent places a Legal Duty of Care on the member such that:

3.2.1 Members must carry out assessments with reasonable care and skill (Retrofit Assessors/Coordinators, see particular requirements in the Trustmark [Code of Conduct](#) and section 5 [Customer Charter](#)).

3.2.2 The duty imposed by 3.2.1 above shall be enforceable by any prospective buyer or tenant during the period of validity of the Report, and;

3.2.3 Any cause of action arising in relation to 3.2.1 above is deemed not to be an action founded on tort for the purposes of the Limitation Act 1980.

3.2.4 All members will act in a professional manner, communicate clearly and in good time, be mindful of vulnerable customers and carries out assessments in a safe manner,

3.2.5 The member acts in accordance with GDPR.

3.2.6 The member complies with the Consumer Rights Act when delivering a service.

3.3 Instruction for Assessment

3.3.1 Members shall understand, and be able to explain to consumers, the requirements of the Regulations (which may change from time-to-time), and members shall keep abreast of current legislation updates affecting their work.

3.3.2 Members shall agree to be bound by all Quidos Scheme Rules, shall follow Quidos Procedures, and will be bound by the Quidos disciplinary procedures unless they are overturned by appeal.

3.3.3 Members shall know their limitations, particularly in regard to the types of property that fall outside their experience and competence. **Instructions outside an members expertise or accreditation strand must be declined.**

3.3.4 Members shall be completely familiar with the format, terms on which the Report is prepared and explanatory text of the Report. They shall be prepared to explain any sections or terms to the owner/occupier before, during, and after the inspection.

3.3.5 Members must set aside sufficient time for the Assessment.

3.3.6 Any circumstance that might lead to an actual, or perceived, conflict of interest, shall be explored by the Member with the home owner/occupier and/or the person from whom commissioned the Report.

3.3.7 Members shall identify and disclose to the owner/occupier any financial relationships with others involved in the transaction.

3.3.8 When receiving instructions, members must enquire whether these are issued by, or for, the owner of the property and provide this information, if available, when registering the report.

3.3.9 Assessors should also determine and advise the correct Register whether the owner requires any restriction to be placed on the disclosure of the Report by the Register such that the Report:

3.3.9(a) May be disclosed to any party but not to mortgage lenders;

3.3.9(b) May be disclosed to mortgage lenders but not to any other party;

3.3.9(c) May not be disclosed to any party.

3.3.10 The member shall provide the Scheme with a Basic Disclosure Criminal Records Check (DBS) which is no more than three years old, and will disclose to the Scheme any convictions or criminal charges which occur from the date of the Basic Disclosure.

3.4 Preparing for an Assessment

3.4.1 Members shall use their local knowledge, and knowledge of the appropriate Conventions and methodology, to complete the Assessment. In the event that members do not have such knowledge of the area where the Assessment is being undertaken, they must satisfy themselves that they can competently undertake the Assessment. In regards to any Retrofit project, all members will have an in-depth knowledge of the PAS 2035 and how it sets out the criteria for an assessment.

3.4.2 Members shall possess and ensure that they have all the necessary equipment and essential tools with them at all times to undertake the Assessment in a satisfactory manner, and check that the tools and equipment are all in good working order.

3.4.3 Members shall not provide a Report where there is a potential conflict of interest. If the member is uncertain what is defined as a conflict of interest, they shall contact the Scheme for clarification. **(This clause is not applicable for Air-Conditioning Inspections).**

3.4.4 Members will confirm in communications with the customer the required information prior to assessment, this shall include but not be limited to, the cost, the date and time, any required paperwork that may be needed in advance and what is involved in an assessment.

3.5 Property Assessment

3.5.1 In accordance with the National Occupational Standards (NOS) (Energy Assessors) and Trustmark Code of Conduct for Retrofit Assessors and Coordinators, members will be expected to present themselves in a professional and polite manner at all times; Quidos determine this will include their appearance, language, and general demeanour. It would be normal practice:

3.5.1(a) To dress professionally, and not to wear inappropriate clothing;

3.5.1(b) To remove ones shoes before entering a property (unless otherwise instructed);

3.5.1(c) To use the bathroom only after obtaining permission;

3.5.1(d) Not to smoke in a property under any circumstance;

3.5.1(e) To leave the property in the manner in which you found it.

3.5.2 Members shall show identification [Quidos ID Card] to the person at the Property upon arrival. Particular care should be taken to not intimidate the owner/occupier or have an aggressive manner or provide misleading information. If a member is found to not provide ID, an email notification for a first offence and suspension for second offence will occur. The Member shall carry out their actions in a non-threatening manner and in abiding by no cold calling zones.

3.5.3 The Member shall discuss with the person at the property:

3.5.3(a) What access will be required and whether access is possible;

3.5.3(b) What photographs will be required and why they are taken;

3.5.3(c) Any other aspects relating to the production and process of the Report and lodgement to the appropriate Central Register or Data Warehouse.

3.5.4 Members shall adhere to the description of the Assessment in the terms in the report in line with requirements for each strand. They shall record any restrictions found on site in their on-site data collection sheets/site notes.

3.5.5 The Assessment shall not be destructive or invasive (i.e. cause any significant permanent marking, damage, harm or injury to the building fabric), even if the owner/occupier gives verbal permission to do so during the Assessment.

3.5.6 Members shall undertake a methodical visual inspection of all relevant parts of the property, take accurate measurements, obtain all necessary information, make any necessary further investigations and make appropriate records of inspection, all such information; being consistent with the need to collect all necessary data for the report and subsequent recommendation requirements.

3.5.7 Where a complete Assessment is impractical and will significantly affect the result (e.g. the boiler is in a room occupied by a sleeping occupant who cannot be disturbed), Members shall arrange a further inspection.

3.5.8 A dwelling Assessment shall be conducted only from the Property itself and any adjoining public space. Assessors shall decline any suggestion from the owner/occupier to enter neighbouring properties. To complete a risk assessment specifically in line with the PAS2035, Path A does not necessarily require a site visit but other pathways do.

3.5.9 Members shall use all suitable vantage points to view as much of the Property as possible, without danger or undue difficulty for themselves.

3.5.10 If the services are 'turned off' on arrival or during the Assessment, this shall be recorded in the on-site data collection sheets/site notes.

3.5.11 If children or young people under the age of 16 are left in charge of the property, Members shall postpone the Assessment until a responsible adult can be present. For vulnerable occupants, members shall either allow more time to explain things or make the decision to postpone the Assessment until a responsible adult can be present.

3.5.12 Members shall only refer to visually inspected evidence, or that backed up by appropriate documentary evidence. The 'word' of the owner/occupier shall not be considered as the only evidence.

3.5.13 Members shall not accept any gifts or inducements, which could in any way be interpreted as an attempt to influence their objectivity and decisions.

3.5.14 A member shall not undertake an assessment if the nature of the building is such that the member lacks the competence or knowledge to produce an accurate assessment for that building.

3.7 Measurement standards and recording of on-site data

3.7.1 Members shall understand and use the current ROYAL INSTITUTION OF CHARTERED SURVEYORS 'Code of Measuring Practice' 6th Edition.

3.7.2 Members shall take care to record all measurements necessary to produce an accurate report are accurately obtained and recorded in record of inspections.

3.7.3 Members shall note and record the specific data required for the Report in a consistent and methodical manner and as defined in the relevant Scheme Requirements.

3.7.4 Members shall use photographic and/or documentary evidence to corroborate their collected data inputs. Guidance for what is considered acceptable evidence can be found in the specific accredited strand QA Standards and Conventions. For Retrofit Assessors and Coordinators, this can be found in the PEPA Retrofit Assessor Scheme Requirements.

3.8 Customer Privacy

3.8.1 Members may come across personal information about the various parties, in particular the owner, occupier/s and owner/occupier of the Property, which has no relevance to the Report. Such information must not be recorded in the on-site data collection sheets, included within photographic evidence, or divulged to third parties, save that Members must not treat this provision as a reason to ignore their common law duties and responsibilities.

3.9 Health & Safety

3.9.1 All Members shall know and comply with the requirements of the HEALTH AND SAFETY AT WORK REGULATIONS.

3.9.2 When visiting sites where construction works are in progress, Members must comply with the Site Manager's directions regarding the wearing of safety equipment.

3.9.3 In the course of their work, the Member shall take reasonable steps to ensure their own, and the public's, health and safety. If a Member considers a building, or part of the building, unsafe they shall:

3.9.3(a) Record any such instances in their site notes;

3.9.3(b) If necessary, inform others as a part of their duty of care;

3.9.3(c) If necessary, the member will not continue with the provision of the Report.

3.10 Timescales

3.10.1 Members shall make decisions on the time required to complete an instruction based on obtaining sufficient information to prepare Reports that are complete and comprehensive.

3.10.2 Members shall be aware of the risks resulting from inadequate Assessment and professional evaluation, and hastily prepared Reports.

3.10.3 Members shall provide Reports in a timely manner; if an EPC Report is commissioned for the purpose of marketing a Property for sale, this shall be provided to the vendor within seven days, to a maximum of 28 days under extenuating circumstances.

3.11 Fees

3.11.1 If Members provide other professional services for the owner/occupier, which go beyond the scope of the Report, these services must be invoiced separately, from the Report charges.

3.11.2 A Retrofit Assessor/Coordinator will need to complete invoices in line with the Trustmark Code of Conduct and make the customer aware of their right to cancellation.

3.12 Production of Report

3.12.1 The Member shall lodge all Reports produced in accordance with relevant Scheme requirements.

3.12.2 Reports shall be complete, objective and satisfy relevant codes of practice and standards.

3.12.3 For EPCs, DEC's or Air Conditioning reports, the standard format is compulsory and must not be altered or added to in any way.

3.12.4 The Report is only concerned with the purpose for which it was commissioned. Assessors must not give opinions as to the usefulness, marketability or attraction of the Property, any parts of it, the building, accommodation, grounds etc when they act as an Assessor.

3.12.5 Security measures designed to reduce the risk of unlawful entry to a Property, or the absence of such measures, must not be described in records of the Assessment.

3.12.6 Members shall have a general knowledge of all the Building Regulations and Approved Documents to those Regulations that are relevant for the production of a Report, and when any relevant Regulations came into force.

3.12.8 Reporting on the condition of the Property is not required for an EPC Report however is one of the main report elements of a Retrofit Assessment.

3.12.9 When acting as a Member, they shall not give opinions or act as specialists concerning potentially harmful substances, materials or services.

3.12.10 All appropriate Reports will be electronically registered on the relevant Central Register [Scottish Air-Conditioning Reports must be lodged with the Scheme] or Data Warehouse (Retrofit Assessor and Retrofit Coordinator).

A lodgeable report is not valid until it has been entered onto the appropriate Central Register for EPC reports and has been allocated a Report Reference Number (RRN) or Data Warehouse for Retrofit Assessment/Projects and has been allocated a property 'token'. Web access and email facilities are necessary to register a Report.

3.12.11 The Member shall be liable for any Reports lodged as a result of negligence in regards to their access details for any lodgement software.

4. RECORDS & FILES

4.1 Data Management

4.1.1 Members shall ensure that all data and information retained in relation to their work is used and maintained in compliance with the GENERAL DATA PROTECTION REGULATION. All customers are entitled to know what personal information you hold on them (without charge).

4.1.2 Members shall make accurate and legible records of the Assessment, which are to be maintained securely for a period not less than 15 years. The records must be of sufficient detail to enable an unconnected third party to interpret the Report findings. The practice of completing electronic Reports without the preparation of such records is unlikely to satisfy the National Occupational Standards.

4.1.3 The data collected by the Member shall only be used for the purposes of producing a valid Report and shall be kept confidential. This data shall only be shared with the Scheme for purpose of Report Surveillance and validation and in line with GDPR Regulations.

4.1.4 The identification of the age, construction, materials, services provided and available and measurements form the basis for the inspection of the building. Such descriptions shall be included in the on-site data collection sheets/site notes.

4.1.5 Records shall also be kept of where and why an accurate Assessment was not possible.

4.1.6 The Scheme shall issue the Member with the appropriate login details to enable access and lodgement to Quidos Software. The Member shall keep such details safe and secure.

4.2 Reports found to be defective

4.2.1 Where a Report is found to be defective, it is the responsibility of the Member to replace the Report, and the costs associated with doing so.

4.2.2 A defective EPC Report shall always be removed from the Central Register by the Assessor upon the lodgement of a valid replacement Report. A defective Retrofit Assessment will be superseded by a new report.

4.2.3 Reports shall only be removed from the appropriate Register if found to be defective and subsequently replaced. Reports shall not be removed due to contractual issues between the Member and the requester of the Report, i.e. failure to pay for the completed Report.

4.3 Data Sharing

4.3.1 The Member shall agree to the Scheme sharing information it holds on the Member with other Scheme Operators and appropriate Government bodies regarding the following information:

4.3.1(a) Disciplinary Actions, including failing to meet the Code of Conduct, the production of defective reports, the failure to meet CPD requirements, any other issues related to the Code of Conduct;

4.3.1(b) Complaints against the Member which Quidos has knowledge of;

4.3.1(c) Competency assessments, including the outcome of any QA checks;

4.3.1(d) The Members CPD Records, which must include updated CPD running on a yearly basis on the annual anniversary of their initial accreditation.

5. Enquiries from Customers

Members are professional individuals who should be confident enough in their own work to be able to provide clear and concise response to any queries from their customers.

5.1 Members shall promptly respond to enquiries from potential buyers, but must only provide clarification on the content of the report. Members shall not give any further detail or advice.

5.2 Any enquiries from potential buyers and others must not be divulged to the owner/occupier.

5.3 Members creating EPC reports shall provide clarification of the Energy and Environmental performance ratings and on the 'Recommendations for Improvement Measures'. They shall not provide additional advice outside the scope of the Report.

6. Complaints, Claims, etc.

6.1 All complaints directly to Quidos and any subsequent disciplinary action will be dealt with in line with the Complaints, Disciplinary and Appeals Procedure.

6.2 Any breaches of this Code of conduct will be dealt with in line with the Complaints, Disciplinary and Appeals Procedure.

6.3 All Members will use their own complaints procedure prior to contacting Quidos which is made available at request, in order to attempt to resolve any issue with minimal disruption. Records of which are to be kept in a secure manner.

7. Assessor Competency

7.1 Quality Assurance Surveillance

7.1.1 In order to ensure the standards and quality of produced Reports, Members shall undertake periodic Quality Assurance Surveillance in line with the requirements of the strand relevant QA Standards.

7.1.2 Members shall provide all the necessary evidence required for the completion of a Surveillance Audit in a timely manner.

7.1.3 Members shall only provide evidence which only relates to the Property being assessed on the nominated date of assessment.

7.1.4 Where photographic evidence is found not to match the Property and/or nominated date of assessment, the Scheme shall suspect the use of stock images with the intention to mislead.

7.1.5 Sanctions for failure to follow the prescribed Scheme Quality Assurance Surveillance process are outline in the strand relevant QA Standards document.

7.2 Continued Professional Development

7.2.1 In order to maintain the professional knowledge, experience and competency of the Scheme's members, Members shall undertake Continued Professional Development (CPD) activities.

7.2.2 There are three types of CPD which shall be undertaken by Members:

7.2.2(a) **Change of Requirements:** Compulsory activities undertaken by the EA to retain their competence in the face of changes in the way in which Reports are required to be produced.

7.2.2(b) **Disciplinary Requirements:** Activities required to be completed as part of disciplinary action.

7.2.2(c) **Other Professional Development:** This covers activities undertaken by the Member is separate to CPD work identified in 7.2.2(a) and 7.2.2(b) in order to maintain and expand the Member's competency within their accredited strand.

7.2.3 Members shall undertake a minimum level of Other Professional Development each year:

7.2.3(a) 10 hours per primary accreditation strand;

7.2.3(b) 5 hours per additional accreditation strand;

7.2.4 Members shall provide a record of all *Change of Requirements* and *Other Professional Development* undertaken annual.

7.2.5 Members shall have their CPD Records requested by the Scheme annually on the anniversary of their initial accreditation.

7.2.6 Where a Member fails to provide a return of the full requirement of annual CPD following a request, their accreditation shall be suspended until such time as this has been completed.