

# **Code of Conduct for Domestic Energy Assessors**

## **1. Introduction**

- 1.1 This document is the Code of Practice ('the Code') for Domestic Energy Assessors.
- 1.2 The Code sets out the principles that must be followed and applied by all Domestic Energy Assessors.
- 1.3 The Code forms part of a wider package of registration and disciplinary information with which Domestic Energy Assessors must comply.

## **2. Purpose**

- 2.1 The purpose of this Code is to set out the rules and standards of conduct that are expected of Domestic Energy Assessors and to inform members of the public about the standards of conduct that they can expect from a Domestic Energy Assessor.
- 2.2 This Code aims to promote:
  - 2.2.1 the best standards of practice by Domestic Energy Assessors; and
  - 2.2.2 confidence in the integrity of the Accreditation Scheme, Domestic Energy Assessors and the Energy Performance Certificate.

## **3. Application**

- 3.1 Domestic Energy Assessors must ensure that they understand and comply with this Code and any accompanying guidance.
- 3.2 A failure to comply with the Standards set out in the Code or guidance will generally lead to disciplinary action being taken against a Domestic Energy Assessor by their Accreditation Scheme.

## **4. Personal and Professional Standards**

- 4.1 Domestic Energy Assessors must at all times (whether inside or outside work):
  - 4.1.1 act with integrity;
  - 4.1.2 be honest and trustworthy;
  - 4.1.3 be open and transparent in their dealings;
  - 4.1.4 disclose to the Accreditation Scheme any or all of the following matters:
    - 4.1.4.1 that they have been charged or convicted of a criminal offence in the UK or elsewhere;
    - 4.1.4.2 that they have been referred for a disciplinary hearing by another Accreditation Scheme, professional body trade association or regulatory body, or other similar organisation;
    - 4.1.4.3 that a disciplinary allegation has been found proved against them by another Accreditation Scheme, professional body trade association or regulatory body, or other similar organisation;
    - 4.1.4.4 the institution against them of bankruptcy or directors' disqualification order;
    - 4.1.4.5 the making of a bankruptcy or directors' disqualification proceeding; or

- 4.1.4.6 if they enter into an individual voluntary arrangement with creditors;
  - 4.1.5 assist the Accreditation Scheme in any disciplinary inquiry involving another Domestic Energy Assessor;
  - 4.1.6 recognise the limits of their professional competence;
  - 4.1.7 keep their professional knowledge and skills up to date;
  - 4.1.8 avoid abusing their position as a Domestic Energy Assessor; and
  - 4.1.9 comply with the requirements of the Accreditation Schemes of which they are a member and their governing legislation.
- 4.2 A Domestic Energy Assessor must not engage in conduct that:
- 4.2.1 damages the reputation of Domestic Energy Assessors;
  - 4.2.2 diminishes public confidence in the Accreditation Scheme, Home Inspectors or the Energy Performance Certificate; or
  - 4.2.3 damages the trust placed in Domestic Energy Assessors by lenders and other professionals who may need to rely upon their work.
- 4.2.3 A Domestic Energy Assessor must not exploit the vulnerability of consumers or take advantage of their lack of knowledge of the home buying and selling process.

## **5. Skills and ability**

- 5.1 Domestic Energy Assessors must:
- 5.1.1 only act if competent to do so;
  - 5.1.2 carry out their work with reasonable skill and care;
  - 5.1.3 maintain their professional knowledge and skill by participating in lifelong learning and recording the outcomes; and
  - 5.1.4 observe and keep up to date with laws and statutory codes of practice that affect their work.

## **6. Conflicts of interest**

- 6.1 A Domestic Energy Assessor must at all times give an unbiased opinion.
- 6.2 A Domestic Energy Assessor must not give or accept any inducement, gift or hospitality that may affect or may be seen to affect their judgement.
- 6.3 A Domestic Energy Assessor must be satisfied that the seller is being or has been provided with written information concerning whether the Domestic Energy Assessor has any personal or business relationship with any person involved in the sale of the property and that the seller will sign or has signed a declaration that they understand the implications of the information.
- 6.4 A Domestic Energy Assessor must not prepare a Energy Performance Certificate if to do so would cause a conflict with the interests of sellers.
- 6.5 If, in the course of preparing a Energy Performance Certificate, a conflict with the interests of the seller or other professionals arises, the Domestic Energy Assessor must decline the instructions to prepare the Report.
- 6.6 If a risk of conflict arises, it must be managed in accordance with any guidance issued by the Accreditation Scheme.

## **7. Advertising**

- 7.1 Domestic Energy Assessors may only promote and advertise their services in a clear, honest and lawful manner.
- 7.2 Any advertisement placed by a Domestic Energy Assessor must comply with scheme standards and with statutory and national standards to ensure that all advertisements are legal, honest and truthful and that they are clearly identifiable as an advertisement.

## **8. Marketing**

- 8.1 Domestic Energy Assessors must operate under fair and honest sales practices.
- 8.2 Domestic Energy Assessors must not:
  - 8.2.1 engage in any commercial practices that are misleading or likely to mislead buyers, sellers or lenders;
  - 8.2.2 use physical force, harassment, coercion or undue influence;
  - 8.2.3 be party to charging fees that are discriminatory or excessive;
  - 8.2.4 exploit the trust vulnerability or lack of experience of buyers, sellers or lenders; or
  - 8.2.5 encourage or condone unsafe or harmful practices.
- 8.3 If Domestic Energy Assessors offer sellers or buyers other services and/or products, they must:
  - 8.3.1 act lawfully and responsibly in sending sellers or buyers details of those services and/or products; and
  - 8.3.2 declare any financial benefit that they may receive as a result of sellers or buyers using those services and/or products.

## **9. Information for the seller**

- 9.1 A Domestic Energy Assessor's offer, to sellers 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 a Energy Performance Certificate, Domestic Energy Assessors must be satisfied that sellers are provided with details in writing of:
  - 9.2.1 the terms, conditions and costs associated with instructing the Domestic Energy Assessor
  - 9.2.2 the key features of the Energy Performance Certificate; their right to see any personal records Domestic Energy Assessors hold about them what use that may be made of the data collected by Domestic Energy Assessors;
  - 9.2.3 the fee for the work, including any tax and duties;
  - 9.2.4 how and when the Energy Performance Certificate will be delivered;
  - 9.2.5 the existence and conditions of a right of withdrawal;
  - 9.2.6 the policy and procedure for cancellation of services and the payment of refunds;
  - 9.2.7 the complaint and redress and appeals procedures; and
  - 9.2.8 a reference to this Code.

## **10. Confidentiality**

- 10.1 Domestic Energy Assessors must explain to sellers that information about the completion of the Energy Performance Certificate has to be placed on the Register of Energy Performance Certificates.
- 10.2 Domestic Energy Assessors must treat all sellers' personal information as private and confidential (even when they are no longer a customer of the Domestic Energy Assessor).
- 10.3 Domestic Energy Assessors must not reveal any personal information about sellers unless:
  - 10.3.1 the sellers have given permission for the information to be revealed;
  - 10.3.2 the Domestic Energy Assessor has to reveal the information by law; or
  - 10.3.3 there is a 'common law' duty to the public to reveal the information.
- 10.4 Domestic Energy Assessors must notify sellers that their contact details may be used during the process for monitoring the compliance and performance of Domestic Energy Assessors.

## **11. Diversity**

- 11.1 Domestic Energy Assessors must not unlawfully or unjustifiably discriminate against any individual in their practice as Domestic Energy Assessors.
- 11.2 Domestic Energy Assessors must not discriminate against any individual on the basis of gender, race or disability or allow their views of the lifestyle, culture, belief, colour, gender, sexuality or age of others to prejudice their professional practice and relationships.

## **12. Insurance**

- 12.1 Domestic Energy Assessors must ensure that all Energy Performance Certificates undertaken by them are covered by adequate and appropriate indemnity insurance cover, as prescribed in the insurance standards adopted by Accreditation Schemes.

## **13. Complaints procedure**

- 13.1 Domestic Energy Assessors must participate in a complaints handling system as prescribed by the Accreditation Scheme.
- 13.2 Domestic Energy Assessors must ensure that:
  - 13.2.1 complaints are initially acknowledged in writing, and the acknowledgement sets out a likely timescale for resolving the complaint;
  - 13.2.2 there is a named individual who is responsible for complaints and who has the authority to resolve complaints, if appropriate; and
  - 13.2.3 complainants are informed that if they want to take their complaint further, the complaint can be referred to a Accreditation Scheme complaints handling process.

## **14. Publicity**

Domestic Energy Assessors must make this Code available to a member of the public upon request.