



# Accreditation Scheme

## Terms & Conditions v2.0

Last update: 06/03/2009

Documents to be read in conjunction with this document:

- *National Occupational Standards (NOS) for Domestic Energy Assessors – Accreditation Version (January 2007) v11.1a*
- *Minimum Requirements for Energy Assessors* dated 16<sup>th</sup> March 2007

# Quidos Accreditation Scheme: Terms and Conditions

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## Part One – Scheme Rules

This document sets out the Code of Conduct of the Qidos DEA Accreditation Scheme (to be known as “QAS”).

### 1. Domestic Energy Assessor Registration

1.1. To apply to become a member of the QAS, the following information will be available from the QAS website

1.1.1. How to Apply for Membership

1.1.2. The Application Form

1.1.3. The QAS Code of Conduct (This document)

1.1.4. The DEAs Inspection and Reporting Requirements (part two of this Code of Conduct)

1.1.5. The QAS Payments and Charges schedule

1.1.6. The QAS Contract

1.1.7. A signatory page

1.1.8. A statement by which applicants agree to seek Basic Level CRB checks, upon themselves. The result of such checks being passed to the QAS.

1.2. The QAS website will collate the following data (paper copies can be completed if preferred):

1.2.1. the Application Form, via a series of online forms

1.2.2. supporting documentation (scans of which can be uploaded via a secure link if preferred)

- the signed CRB related statement
- a copy of the personal details page of their Passport (if any),
- a copy of photo-card and paper counterpart of their current driving licence (if any)
- details of their DEA Diploma qualification, (copy of certificate)
- details of their required Insurance Cover (if they opt out of the QAS group cover)

1.3. The applicant will submit the following hard copy information to the QAS by registered post:

1.3.1. two copies of the signatory page confirming the following:

1.3.1.1. the QAS Contract

1.3.1.2. The DEAs Inspection and Reporting Requirements

1.3.1.3. The QAS Payments and Charges schedule

1.3.1.4. understanding of the Code of Conduct

1.3.2. the signed CRB related statement

1.3.3. Full payment by cheque

The relevant documents should be “wet” signed and returned to the QAS.

## 2. Preliminary Checking of Applications Received

Upon receipt of an application, the preliminary checks detailed below will be carried out:

- 2.1. Check that all required documentation has been received, completed correctly, and all relevant agreements are signed. If not, the applicant will be contacted by telephone and/or email, highlighting the errors or omissions. The application will not proceed until full documentation has been received.
- 2.2. Check that the application includes a cheque for both the application and membership fee. The application will not proceed until full payment has been received.
- 2.3. Check upon the identity of the applicant, (see Section 1.2)
- 2.4. Check the validity of the passport, and if not an EU passport, to have evidence of ability to work in the UK.
- 2.5. Check that the applicant holds a valid full EU driving licence, or has provided a statement explaining how they will work as a DEA without an EU driving licence.
- 2.6. Check that the applicant holds the relevant qualification and/or is experienced enough to operate as a full QAS member, see Section 5.
- 2.7. If the “other Scheme” declaration, on the Application Form, indicates that the applicant has either been refused membership of another Accreditation Scheme, or had membership withdrawn, then that scheme will be contacted to establish the history and current status of the applicant.
- 2.8. If the applicant has opted out of the QAS Insurance Cover, check that their Professional Indemnity and Public Liability Cover are at the required level, see Section 15.

## 3. Checking on Applicants Suitability

- 3.1. Applicants will be rejected only if there are grounds for concluding that they are not ‘fit and proper’ persons to be DEAs, and/or if they cannot be insured within the QAS’s Indemnity Insurance policy and do not have their own cover. Should the results of Criminal Records Bureau checks show any convictions, the QAS will use the criteria at Section 8 to help to make a decision on whether or not to offer membership.
- 3.2. Any applications clearly meeting all of the QAS’s requirements will be approved forthwith. If there is any ambiguity regarding an applicant’s suitability, particularly with regard to Criminal Records, the application will be subject to an appropriate investigation, seeking external advice if necessary.
- 3.3. Applicants must provide a signed declaration that their DEA operations will be covered by a Customer complaints policy that meets the standards set out in Section 9.
- 3.4. If an application is rejected, then the applicant will receive a letter setting out the reasons for such action. All refused applications will also be reviewed by the QAS’s External Registrar to ensure the fair and proper application of this Code of Conduct
- 3.5. Provided the registration has been successfully completed, the applicant will be sent a Membership Pack containing:
  - Certificate of membership
  - Unique Membership ID card with membership number
  - One of the copies of the Membership Scheme Contract
  - Professional Indemnity Insurance cover detail
- 3.6. Upon despatch of the Membership Pack the new member will be formally entered on the Register of DEAs, and notified of this fact.

## 4. QAS Records kept on it’s Members

All details and documentation relating to every applicant will be entered onto the QAS management system, regardless of the final outcome. Data Protection Act – QAS is regulated under the Data Protection Act 1998 (as registered members of the Information Commissioners Office) and undertakes to process members and

applicants data in accordance with the legal requirements of the Act. The data from the member or applicant will be used solely by the QAS for internal administrative purposes. All data is treated in confidence and is not disclosed to any third parties, other than when we are required to or permitted to by law, or when you have given consent.

The information recorded on the database will include, but is not restricted to, the following:

- 4.1. Name (and previous names)
- 4.2. Date of Birth
- 4.3. Nationality (and for Non EU members, details of Work Permit)
- 4.4. Unique Membership number
- 4.5. Contact details
- 4.6. Date of application
- 4.7. Date and Result of CRB check
- 4.8. Date of Renewal / Retirement / Cancellation / Exclusion
- 4.9. Current status of application
- 4.10. Membership Status (see Section 6.2)
- 4.11. Employer, if any
- 4.12. Scanned copies of all forms and declarations
- 4.13. Lifelong Learning records
- 4.14. Records of complaints resolved by the DEA
- 4.15. Records of complaints escalated to the QAS
- 4.16. Records of appeals dealt with by the QAS
- 4.17. Disciplinary records
- 4.18. Details of all enquiries made upon the member

Additionally the QAS will maintain an online public register whose information can be viewed at anytime. This information is limited to the name, number, and status of membership of DEAs. A telephone 'customer service' number will also be publicised for the public seeking to engage a DEA.

The QAS will respond to any other Accreditation Scheme enquiry of a particular member or applicant; limited to the following data: the Membership Status. Further information may be provided if deemed appropriate to do so.

The QAS will allow the CLG (or agreed nominated agents) full access, and co-operation, to all data it holds with regard to the members database. All data will be constantly backed up, and contingency plans are in place in case of emergency.

## **5. Domestic Energy Assessor Qualifications**

The QAS will check with the relevant organisation issuing the candidates Diploma that the Diploma is valid (see Section 1.2). The qualification must satisfy the NOS and the awarding body must be approved by the Qualifications and Curriculum Authority (QCA).

## **6. Domestic Energy Assessor Annual Membership Renewal**

### **6.1. Renewal**

Renewal of membership takes place annually, (on the anniversary of the DEA receiving membership). DEAs are required to submit, with their request for renewal, a disclosure statement, within which they are required, as a condition of their membership, to disclose any change in status which could affect their eligibility.

The QAS will take into account DEA performance, as determined by its monitoring processes, together with records related to Life Long Learning, (see Section 14), before renewing membership.

#### 6.2. Membership Status Categories

- Pending: waiting for approval to the scheme
- Declined: DEA does not meet current membership requirements
- Active: the normal status for an operating DEA
- Barred from Practice: by the QAS.
- Inactive: when the DEA is temporarily or voluntarily inactive for up to one year.
- Retired: when the DEA has permanently left the QAS for any reason, but may still be eligible to rejoin if the current membership criteria are met.

If a DEA voluntarily becomes inactive, the QAS will require that they continue to maintain appropriate Lifelong Learning in order to remain up-to-date. Where the inactivity is due to a situation where appropriate Lifelong Learning is difficult to maintain, (such as during a prolonged illness), this should be reflected in the Personal Development Plan when the QAS is re-joined.

If a DEA is declared as Inactive or Barred by the QAS, then the reason for this status change must be given in writing to the member. In addition the QAS will inform other Accreditation Scheme operators of this status change. This may be caused by overdue monies owed, or illegal practices.

#### 6.3. Cancellations

If a member cancels their membership with the QAS for any reason, neither the Application nor Membership fee will be refunded.

### 7. Domestic Energy Assessor Compliance

7.1. By signing the Membership Contract, and agreeing to comply with this QAS Code of Conduct, the applicant has undertaken to:

- Read and understand the published Code of Conduct
- Read and understand any specific requirements defined by the QAS
- Have the appropriate internal procedures in place to ensure Customer protection
- Read and understand the '*Inspection and Reporting Requirements*'.

All the relevant literature will be available on the QAS website.

7.2. The QAS will operate a number of audits to ensure that members abide by its rules and so ensure customer protection. The QAS will undertake the following actions, based upon the CLG document *Minimum Requirements for Energy Assessors* dated 16<sup>th</sup> March 2007, which sets out an absolute quality standard that all schemes are expected to maintain amongst the EPC's issued by their Assessors:

7.3. At least once a year for each member, the QAS will identify a suitable empty property (through its various links with estate agents and other property professionals) for a group of members to be assessed by a competent and relevantly qualified assessor. The property will be local to the group of members, and the assessor will expect to evaluate the working practices and results of each members EPC. The assessor will compare the EPC prepared by the DEA, together with any associated records of assessment, to one prepared by the assessor. Discrepancies between the two may result in either guidance to the DEA on specific issues, or a requirement to undertake additional training, or in cases of gross error, membership will be suspended pending review. In addition the QAS will ensure that its members:

- Continue to maintain satisfactory complaints procedures.
- Have not been convicted of major crimes since registration.
- Have complied with the requirement for Lifelong Learning as specified by the QAS (see 'Lifelong Learning')

- 7.3.1. The QAS will undertake desk-top audits of one EPC per twenty-five from each DEA. This audit will compare the records of assessment (including floor plan sketch with dimensions, and site photographs) against the EPC that has been produced. There are specific data items that significantly affect the energy rating of a property, examples including the correct determination of wall construction, heating system, boiler seasonal efficiency, and heat loss perimeter. By comparing the inputted data items with the submitted records of assessment, it will be possible to quickly identify mistakes that could lead to potentially large variances in the energy rating. Telephone audits to the end customer may also be used to assist with this activity should further confirmation be useful.
- 7.4. Monitoring activities will be increased for a particular DEA if there is any evidence of transgression of the rules or where the performance criteria have not been met. If a Customer complaint is upheld against a DEA telephone surveys of Customers relevant to that particular DEA will be carried out. If further evidence emerges of failure to meet the QAS quality standards then the DEA will be subject to disciplinary procedures.
- 7.5. The QAS will monitor DEAs by carrying out 'data mining'. This will detect DEAs that are reporting consistently different condition scores on particular types of property or encountering higher or lower than average instances of exceptional items.
- 7.6. The QAS will keep records of all monitoring activities so that accurate statistics can be derived from these and reported to Communities and Local Government as required.
- 7.7. The QAS offers and promotes the "Mentoring Scheme", details of which can be found on the QAS website. In effect, all members will be encouraged to provide support to local members (within 15 mile radius of place of work) with less experience than them.

## 8. Guidelines For Dealing With Criminal Convictions

It is a fundamental QAS requirement, that all applicants undertake a BASIC level check at the CRB. The results of these checks, which evidence unspent Criminal Convictions, are to be investigated by the QAS as part of the application. In cases where an applicant has Unspent Convictions for a criminal offence, the QAS will take into account the following factors when determining whether an application should be rejected, or membership revoked:

- 8.1. The relevance of the offence to the role of DEA where:
- Protection of the public is of paramount importance, and
  - Whether the offence will compromise the integrity, credibility and/or professional standing of any applicant.
- 8.2. The seriousness of that offence
- The more serious the offence, the stronger the possible argument for rejection of the application or revocation of accreditation, bearing in mind the degree of any harm caused.
- 8.3. Whether there is any significant pattern of offending
- Was the offence an isolated incident? If not, what other similar offences have been committed?
- 8.4. How recently the offence was committed
- The more recent the offence, the stronger the possible argument for rejection of the application or revocation of the membership.

The QAS will make decisions based on clear and justifiable reasons, free of prejudice or discrimination, and full compliance with the Rehabilitation of Offenders Act. It will consider all the above 4 factors, although the weight given to each factor will depend upon the offence(s) committed and the individual circumstances.

## 9. Handling Customer Complaints

- 9.1. The QAS requires, (see Section 3.3), that all members should operate an appropriate Customer complaint policy, or adopt their employer's Customer complaint policy. In either event, this policy must accord with the processes set out below.

- 9.2. This policy should be based upon a process of escalation, commencing with attempts to resolve the issue at DEA or DEA Employer level, then escalation to the QAS. The QAS acts as an independent third party to the contract existing between customer and DEA/DEA employer.
- 9.3. The total process of Customer complaints handling should not impose any form of cost on the complainant. Overall complaints related costs should be borne by the DEA or the DEA Employer. An initial administration charge will be made by the QAS to the DEA or the DEA Employer.
- 9.4. The DEA or the DEA Employer must keep full and accurate records of all Customer complaints and queries received, and all subsequent actions taken on them. Upon receipt of a complaint the QAS should be notified in writing electronically, and should also be kept updated as to resolution progress, by way of copy record updates.
- 9.5. When a Customer complaint is received, and properly recorded, the DEA or the DEA Employer should FORMALLY notify the complainant of their rights under the Customer complaints policy. The policy must make it clear that it does not in any way prevent a complainant from following their normal recourse to Law.
- 9.6. The DEA or the DEA Employer must take all possible actions to resolve the Customer's complaint. If the process is successful, the complaint record should be updated by a suitable report, and a copy of this sent to the QAS. If settlement cannot be reached, the complainant should be informed that the matter will be escalated to the QAS.
- 9.7. Upon escalation, the QAS will review all of the facts related to the complaint. Further clarification may be requested from the various parties, and the QAS may seek the advice of technical experts. (If technical experts are to be used, the QAS will charge the DEA/DEA employer for their advice). The QAS will seek to resolve the complaint to the customer's satisfaction and this may involve the DEA/DEA employer having to agree to repeat assessment, or some sort of redress. The decision of the QAS will be final, and is binding on the DEA/DEA employer, but not the customer. The QAS will make it clear to the customer that these deliberations do not in any way prevent or obstruct their recourse to Law.
- 9.8. If a Customer complaint is received directly by the QAS, the relevant DEA/DEA Employer will be notified immediately and the complaint will be passed to them for resolution. The only exception to this process is if the complaint concerns a possible criminal offence, in which case the QAS will notify the Police.
- 9.9. In the event that the DEA or the DEA Employer receives a Customer complaint about the QAS itself, this should be fully recorded as to the nature and circumstance, logged as per 9.4 above and then passed immediately to the QAS. In this instance, and that where the QAS is notified of the same sort of complaint, directly by the complainant, acknowledgement will be made, in writing, within 5 working days.

Senior QAS management will conduct an enquiry into the matter after agreeing a deadline-date with the complainant. In all cases a detailed complaint history file will be opened and maintained.

If the complaint cannot be resolved by the QAS, the Customer is to be referred to an independent third party (external registrar), who will assess the complaint and provide an outcome.

- 9.10. DEA or DEA Employer Customer complaint records will be used by the QAS as part of its quality assessment procedures and can also be used in certain circumstances in order to instigate the disciplinary procedure.

The external registrar shall be a professional person not linked to the Quidos Company, and will be employed solely for the task of providing an independent decision on the disciplinary review. The external registrar shall be bound by their duties and terms of employ whilst undertaking any independent adjudicating.

## 10. Disciplinary Processes

### 10.1. Disciplinary Processes resulting from Monitoring Procedures

- 10.1.1. The QAS has monitoring procedures in place that provide checks that all registered members are carrying out their activities in accordance with defined performance criteria.

- 10.1.2. If the DEA is found to be in breach of these defined performance criteria, the duties as defined by the QAS, or found to be acting outside the Inspecting and Reporting Requirements, the infringement will be reviewed by the QAS.
  - 10.1.3. In instances of minor infringement, (defined in Section 12), the QAS will issue a written informal warning containing clear instruction on how the codes have been breached, and what action is required to avoid future breaches. This being designed to prevent the matter developing into a serious infringement. The rights of the DEA to appeal against such a warning are set out in Section 10.4.1 below).
  - 10.1.4. In instances of serious infringement, (defined in Section 12), the QAS will inform the DEA of all actions to be taken.
  - 10.1.5. Following consideration, the QAS will take one of the following actions, depending on the background severity of the infringement:
    - 10.1.5.1. In the case of a minor infringement that becomes a serious infringement, issue a formal warning containing clear instructions on how the codes have been breached, and automatically apply the secondary sanction.
    - 10.1.5.2. Refer the case directly to a Disciplinary Panel, or
    - 10.1.5.3. In the case of a serious infringement that has not been automatically referred to a Disciplinary Panel, issue a formal warning containing clear instruction on how the codes have been breached and what is required to avoid future breaches of the codes. If the DEA fails to comply with the instructions included in the formal warning letter, a second formal warning will be issued. If the DEA still fails to comply, the published sanction will be imposed, or the matter will be referred to a Disciplinary Panel. The rights of the DEA to appeal against such a warning are set out in Section 10.4.2 below).
- 10.2. Referral to Disciplinary Panels (see Section 11 for their procedures)
- 10.2.1. Disciplinary Panels will be composed of three persons. Two members will be independent, technically qualified individuals drawn from a register kept by the QAS. The third person will be a senior executive of the QAS. Disciplinary Panels will have a Secretary who will record their deliberations.
  - 10.2.2. The conduct of Disciplinary Panels will be in accordance with published rules, which include the tariff of sanctions. These documents form part of the Membership Pack.
  - 10.2.3. The date of a hearing by the Disciplinary Panel will not be more than twenty eight days from the date of referral.
  - 10.2.4. Full details of the allegations made against the DEA together with copies of all the relevant information to be presented by the QAS to the Disciplinary Panel will be made available in advance of the hearing.
  - 10.2.5. The DEA can elect to be represented at the hearing.
  - 10.2.6. Decisions reached by a Disciplinary Panel are by way of a majority vote, and are binding on both parties, subject to the right of Appeal, which is set out in Section 10.4.3 below. In order to initiate an appeal, DEAs will be required to pay a deposit that will be refunded in the event that the appeal decision is in their favour.
- 10.3. Disciplinary Process as a result of a Customer Complaint
- In the event that the QAS itself receives a complaint from a Customer the complaints process outlined in Section 9 will be employed. Where a complaint against a DEA is subsequently confirmed to be a breach of the defined performance criteria, then the disciplinary processes described above will be implemented.
- 10.4. Disciplinary Appeals
- 10.4.1. In the instance where DEAs have been warned by the QAS for minor infringements, (see Section 10.1.3), and where they do not accept the warning and wish to appeal, they should place, in writing, the full details related to the matter, including the reasons for their appeal, and send this to the QAS. The Scheme will review the matter, and either confirm or modify its warning. This review is final, but does not prevent the DEA from proceeding to Law.

The QAS's External Registrar will review the matter, and will formally advise the DEA of the findings. These findings are final but do not prevent the DEA from proceeding to Law.

- 10.4.2. In the instance where DEAs have been formally warned by the QAS for serious infringements, (see Section 10.1.5.2), and where they do not accept the warning and wish to appeal, they should place, in writing, the full details related to the matter, including the reasons for their appeal, and send this to the QAS.

The QAS's External Registrar will review the matter, and will formally advise the DEA of the findings. These findings are final but do not prevent the DEA from proceeding to Law.

- 10.4.3. In the instance where DEAs wish to appeal against the decisions made by a convened Disciplinary Panel, (see Section 10.2.6 above), the External Registrar will review the matter, and will formally advise the DEA of the findings. These findings are final but do not prevent the DEA from proceeding to Law.

The external registrar shall be a professional person not linked to the Quidos company, and will be employed solely for the task of providing an independent decision on the disciplinary review. The external registrar shall be informed of their duties and terms of employ prior to undertaking any independent adjudicating. The Appeals Process is not designed to detract from the rights of a Domestic Energy Assessor under Human Rights Legislation, or other Legal Statutes.

## 11. Disciplinary Panel Procedure

- 11.1. Disciplinary Panels will be composed of three persons. Two members will be independent, technically qualified individuals drawn from a register kept by the QAS. The third person will be a senior executive of the QAS. All Disciplinary Panels will have a Secretary who will record their deliberations.
- 11.2. None of those, appointed to the Disciplinary Panel, should have personal knowledge or previous relationships with any DEA brought before them. The findings of the Disciplinary Panel are determined by a majority vote of the appointed members.
- 11.3. The Disciplinary Panel will have a Secretary responsible for recording the proceedings reached. The Secretary does not have a vote in reaching decisions.
- 11.4. When a Disciplinary Panel is convened, each member is to be notified of the time and place of the hearing, given the names of the DEAs being considered, and copies of the documents comprising the allegations made by the QAS. If any member of the Disciplinary Panel identifies a potential conflict of interest or prior association with any of the Inspectors being considered, they must notify the QAS and withdraw from the Disciplinary Panel.
- 11.5. The DEAs referred to a Disciplinary Panel will be given formal notice of the hearing. This notice will not be more than twenty-eight days from the date of referral.
- 11.6. The formal notice will be accompanied by copies of the allegations made against the DEA, the key documents upon which these allegations depend, and the names and relevance of any witnesses called. The allegations against each DEA shall cite:
- 11.6.1. the name and Membership number of the DEA
  - 11.6.2. the specific performance criteria that the QAS considers have been breached
  - 11.6.3. the specific instance(s) when such breaches have occurred
  - 11.6.4. The nature of the evidence supporting the allegation.
- 11.7. DEAs are requested to attend the Disciplinary Panel, but cannot be compelled to do so. DEAs can choose to be formally represented at hearings, and may elect to call witnesses in their defence. (Provided such are pre-notified to the QAS).
- 11.8. DEAs may dispute the relevance of key documents, during the course of the hearing.
- 11.9. The members of the Disciplinary Panel shall make such enquiries of all persons appearing before them, as they consider proper. They shall conduct the hearing in such a way, as they consider most appropriate for the clarification of the issues, and generally for the just handling of the proceedings.

- 11.10. If a party concerned with the hearing wishes to submit written representations for consideration these must be presented to the QAS not less than 7 days before the hearing. The QAS will distribute copies of such to all the parties concerned.
- 11.11. At a hearing, the Disciplinary Panel members, the DEA and/or the DEA's representative are entitled to make all relevant representations to the Disciplinary Panel, and to call and question witnesses, (always provided that these have been prior notified to all parties), and to examine documentary evidence.
- The program and sequence of the hearing shall be determined by the Disciplinary Panel with due regard to the wishes of the DEA. If any party required to attend the hearing fails to attend, or to be represented, at the time and place fixed for the hearing, the Disciplinary Panel may dismiss or dispose of the proceedings in the absence of that party, or may adjourn the hearing to a later date.
- 11.12. A hearing or part of one may be conducted in private for the purpose of gathering representations which in the opinion of the Disciplinary Panel is likely to consist of information:
- 11.12.1. which has been communicated in confidence, or which has otherwise been obtained in consequence of confidence placed by another person; or
- 11.12.2. The disclosure of which would cause substantial injury to the DEA. Where a hearing, or part of one, is held in private, reasons for doing so should be given.
- The Secretary will still record matters held in private.
- 11.13. Once the Disciplinary Panel has received all submissions it will discuss the issues raised in private, and arrive at a decision, by a process of majority voting. The decision may include any or all of the following;
- 11.13.1. a statement on whether the Disciplinary Panel considers the allegations against the DEA to be valid;
- 11.13.2. the award of compensation to any Customer who has suffered as a result of the DEA not complying with the performance criteria;
- 11.13.3. the award of costs which may include preparation time and any loss of earnings;
- 11.13.4. a requirement on the DEA to undertake further training;
- 11.13.5. a requirement on the QAS to modify its procedures or improve staff training;
- 11.13.6. a requirement on the QAS to suspend or withdraw the registration of the DEA;
- 11.13.7. Recommendations to Communities and Local Government, the QAS, the DEA's employer or the DEA regarding changes required to improve the overall reliability and accuracy of EPCs.
- Decisions that involve compensation, costs, suspension or de-registering should include a clear statement of the time by which such matters are to be completed.
- 11.14. If the decision is made against the DEA then the relevant rights of appeal shall be clearly explained, and confirmed in writing, (see Section 10.4.3).
- 11.15. The Secretary shall compile a complete record of the proceedings and all judgements reached by the Disciplinary Panel. This Minute must be certified as being accurate by all of the members of the Disciplinary Panel and a copy sent to the DEA, DEA Employer, and QAS.
- 11.16. Tables indicating the disciplinary transgressions and the possible actions to be taken to deal with them are set out below.
- 11.17. The QAS has devised the tables below on the basis of the current published version of the NOS (January 2007) v11.1a, on the assumption that they will not be changed in any material respect. The relevant NOS can be found on the QAS website.

## 12. Disciplinary Process Tariff

Transgression (References are to Breaches of Elements and Performance Criteria (PC) of the NOS)	Severity		Initial Sanction to be applied	Secondary Sanction to be applied
	Minor	Serious		
1.1	✓		1	4
1.2	✓		1	4
1.3 as amended by the Code of Conduct of the QAS (including the Duties and Responsibilities of DEAs)	✓		1	3
1.4 PCs 1,3,5 *	✓		1	4
1.4 PCs 2,4,6,7,9,10 in respect of the Duties and Responsibilities of DEAs. *		✓	2	5
1.4 PCs 2,4,6,7,9,10 in respect of the Inspection and Reporting Requirements – Part 1 Mandatory requirements *		✓	2	5
1.4 PCs 2,4,6,7,9,10 in respect of the Inspection and Reporting Requirements – Part 2 Guidance *	✓		1	4
2.1 PCs 1,2,4,5,6	✓		1	4
2.1 PC 3		✓	2	5
2.2	✓		1	4
2.3	✓		1	4
2.4 PCs 1,2,3,8,9	✓		1	4
2.4 PCs 4,5,6,7		✓	2	5
3.1	✓		1	4
3.2	✓		1	4
3.3	✓		1	4
4.1 PCs 1,3, 5 and 11	✓		1	4
4.1 PCs 2,4,6,7,8,9 and 10		✓	2	5
4.2		✓	2	5
5.1 PCs 1,2,3,4	✓		1	4
5.1 PCs 5		✓	2	5
5.2 PCs 2,3,4,5	✓		1	4
5.2 PCs 1,6		✓	2	5

\* There is no Element 1.4 PC 8 in current NOS

**Sanction Codes:**

- 1: Demonstrate the PCs can be met within 28 days from notification to the QAS of the breach.
- 2: Minimum suspension for 14 days with requirement of evidence of changed work practices in place prior to reinstatement (note – depending on detail of the breach, some instances may be referred to Disciplinary Panel immediately)
- 3: Suspension for 28 days from notification to the QAS of the breach; or until adequate Lifelong Learning requirements have been complied with.
- 4: Suspension of membership of the QAS until such time that PCs can be demonstrated as having been met.
- 5: Depending in nature of breach Disciplinary Panel may impose permanent removal from membership of the QAS.

## 13. Membership Appeals

DEAs have the right to appeal against disciplinary sanctions involving suspension for more than 7 days or withdrawal of membership. In this instance the QAS's External Registrar will review the matter, and will formally advise the DEA of the findings. These findings are final but do not prevent the DEA from proceeding to Law.

The Appeals Processes is not designed to detract from the rights of a Domestic Energy Assessor under Human Rights Legislation, or other Legal Statutes.

#### 14. Lifelong Learning

14.1. The Membership Contract requires that the DEA undertakes sufficient Lifelong Learning to remain competent and up to date with skills, and able to meet the performance criteria in Element 1.3 of the National Occupational Standards.

14.2. DEA members will be required to update their skills to meet certain critical updates to EPC, recommendations and RdSAP methodology. The QAS will make members aware of the requirements. Members will have to provide evidence on a yearly basis that they have taken the necessary learning in order to remain competent in these updates.

#### 15. Insurance for Domestic Energy Assessors

QAS members will be offered appropriate Professional Indemnity Insurance (PII) and Public Liability Insurance (PLI) and other insurance cover (if necessary) under a "scheme umbrella" policy, details of which has provisionally been agreed with a major underwriter: however, in order to retain freedom of choice such a scheme adoption will not be conditioned on QAS members and those preferring alternative cover plans will simply be required to provide to QAS satisfactory evidence of such alternative cover.

All successful applicants will be offered insurance cover under the QAS group policy. Details will be provided on request, but the main details are as follows:

- Cover for the PII is £250,000 each and every claim
- The excess in the event of each and every successful claim against the PII is £250
- Cover for PLI is £2,000,000
- Excess is £250 in the event of any successful claim against the PL
- The policy is in QAS name, so there are no run-off issues – members (or ex-members) do not need to keep up their policy for 10 years if they retire from the scheme.

#### 16. Energy Performance Certificate

16.1. The QAS EPC software is a web-based system, provided by Quest Associates. We lease the software from market leaders of EPC software. The processing of EPCs, including carrying out and organising monitoring checks, will be carried out by the QAS.

16.2. The software and associated data (site notes etc) will be stored on a fully managed and dedicated remote server; this will be fully resilient, and guaranteed against data loss. Our hosting supplier has an impeccable record, and details can be provided if required.

16.3. The software at present is limited to one EPC report generator, this will change as the ability of other report writers are incorporated into the software. Each member will be able to nominate which software package they wish to use, at no detriment to performance, accuracy, or speed.

16.4. The DEA can save versions of the Report and make changes until satisfied that it is complete. At that point the DEA indicates that the Report is finalised and it will then be locked and submitted to the QAS for checking and validation.

16.5. When the DEA submits an EPC for lodgement:

16.5.1. The submission will be made electronically using the QAS EPC software

16.5.2. The Report will have associated record of inspections and the raw data from which the EPC has been generated.

- 16.6. The QAS EPC software includes a BRE approved calculation engine for producing the EPC using RdSAP.
- 16.7. If the checks are satisfactory, the Report is assigned a unique Report Reference Number (RRN) and the PDF containing the EPC is created. At this point the Report has a “provisional” status. The PDF is submitted to the Central Register of EPC’s and once received and lodged there; EPC’s status is changed to “final”.
- 16.8. At this stage the RRN is provided to the DEA. From this they can then view the associated completed EPC, via the Central Register.
- 16.9. The QAS will monitor the delivery times, and establish deliverable performance targets to achieve; these will be available on the QAS website. The software will provide the RRN within 30 minutes of submission by the DEA. This performance target will be met 99% of the time.
- 16.10. EPC’s will be monitored using the procedures described in Section 7 that relates to DEA Compliance.
- 16.11. The samples will be selected and acted upon within 5 working days of final lodgement. Reports resulting from revisits are stored alongside the original, enabling automated comparisons of the two, highlighting differences that would need manual checking.
- 16.12. In addition to DEA specific monitoring, database searches and queries will be defined to scan the database for exceptions to the norm, flagging such exceptions for further analysis and checking. This can include tracking the average application of condition ratings and flagging consistently abnormal application by an individual DEA.

## **17. Governance**

The QAS follows governance standards to ensure that it registers DEAs in accordance with relevant legislation, and without any conflict of interest with any DEA panel it may run, or with any subsidiaries or associated joint ventures.

QAS will co-operate with any authorised officer of an enforcement authority making enquiries of the scheme for the purposes of carrying out the authority’s duties under the legislation.

## **18. QAS Performance Reporting**

The QAS evaluates and reports on its operating performance in a manner approved by the CLG. The QAS will attend regular meetings with the CLG to ensure compliance with all current legislation, and to present reports on customer service and performance targets.

The QAS will publish, within 6 months of the end of each financial year, an annual report and accounts in respect of that year, including a report on the achievement (or otherwise) of customer service and performance standards and targets relating to the scheme.