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## ABSA Accredited Assessor Code of Practice

**Version 1.0 – October 2007**

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Signed on behalf of ABSA

Name: .....

Position: .....

Signature: ..... Date: .....

I have read, and undertake to act in accordance with, this Code of Practice.

*Print name below and sign each page:*

Name: .....

Signature: ..... Date: .....

ABSA Accredited Assessor number: .....

# Contents

- 1. Definitions..... 3
- 2. Objective ..... 3
- 3. Referenced documents ..... 4
  - 3.1 ABSA documentation structure ..... 4
  - 3.2 ABSA Constitution..... 5
  - 3.3 Assessor Procedures ..... 5
  - 3.4 ABSA Document Schedule ..... 5
- 4. Terms of Agreement..... 6
  - 4.1 Agreement..... 6
  - 4.2 Amendment..... 6
  - 4.3 Suspension ..... 6
  - 4.4 Cancellation of Accreditation..... 6
  - 4.5 Termination ..... 6
- 5. Accredited Assessor Conduct ..... 7
  - 5.1 Professional conduct..... 7
  - 5.2 Conflicting interests..... 7
  - 5.3 Communication with clients..... 7
  - 5.4 Privacy of information..... 8
  - 5.5 Assessor fees..... 8
- 6. ABSA accreditation requirements..... 9
  - 6.1 Assessment..... 9
  - 6.2 Contact details ..... 9
  - 6.3 Communication with ABSA ..... 9
  - 6.4 ABSA Logo..... 9
  - 6.5 Fees ..... 10
  - 6.6 Professional Indemnity..... 10
- 7. Qualifications ..... 11
  - 7.1 Qualifications..... 11
  - 7.2 Continuing Professional Development ..... 11
- 8. Quality Assurance ..... 11
  - 8.1 Auditing ..... 11
  - 8.2 Declaration of assessments ..... 11
  - 8.3 Records..... 11
- 9. Discipline of Assessors..... 12
  - 9.1 Disciplinary action ..... 12
  - 9.2 Appeal ..... 12

Signature:.....

Date: .....

# 1. Definitions

These terms shall have the following meaning, when used in this document.

- 1.1.1 *ABSA*: The Association of Building Sustainability Assessors Limited
- 1.1.2 *ABSA Board*: The Board of Directors and / or authorised representatives as defined in accordance with the ABSA Constitution.
- 1.1.3 *Assessor, (or ABSA Accredited Assessor or Accredited Assessor or New Zealand HERS Assessor)*: a person that has signed, and meets the requirements of, this Code of Conduct.
- 1.1.4 *Assessor Procedures*: references Procedures relevant to the Assessment being undertaken and may include documents referenced as *ABSA Assessor Procedures* or *ABSA (New Zealand) Assessor Procedures – Home Energy Rating Scheme (HERS)* or other documents listed in the ABSA Document Schedule of Australia or New Zealand.
- 1.1.5 *Accreditation*: recognition by ABSA that a person meets the requirements of the ABSA Assessor Code of Conduct.
- 1.1.6 *Accredited Assessor Number*: a unique five digit number assigned to an Assessor by the ABSA.
- 1.1.7 *Assessment*: The provision of assessment services by an Accredited Assessor.

# 2. Objective

- 2.1.1 ABSA is committed to:
  - maintaining and improving the quality of services provided by professionals conducting assessments of building sustainability;
  - promoting the benefits, to regulators, building practitioners and consumers, of utilising the services provided by ABSA Accredited Assessors.
- 2.1.2 This Code of Practice defines the principles and standards of conduct that ABSA Accredited Assessors must maintain.

Signature:.....

Date: .....

### 3. Referenced documents

#### 3.1 ABSA documentation structure

- 3.1.1 This document is part of a set of documents which define assessment procedures and standards of conduct that ABSA Accredited Assessors must maintain.
- 3.1.2 This structuring of ABSA documentation has been designed to accommodate Assessors providing assessments:
  - of different aspects of building sustainability;
  - within different assessment schemes and regulatory frameworks;
  - utilising various assessment tools.
- 3.1.3 This *Assessor Code of Practice* is the principle document that defines practice requirements for all assessors engaged in any type of sustainability assessment accredited by ABSA.

*Assessor Procedures* define procedures for Assessors practicing under specific assessment scheme or regulations.

*Assessment tool application* documents define procedures related to the use of specific assessment tools required by assessment scheme or regulations.

*Referenced documents* may include policies, user manuals or other material relevant to assessment schemes or tools.

Signature:.....

Date: .....

### 3.2 ABSA Constitution

- 3.2.1 This Code of Practice must be read in conjunction with the current *ABSA Constitution* which defines the Rules of Incorporation of ABSA.
- 3.2.2 Accredited Assessors may or may not also be members of ABSA. Accredited Assessors that are also ABSA members may have rights and obligations defined in the ABSA Constitution, additional to those defined in this Code of Practice.

### 3.3 Assessor Procedures

- 3.3.1 This Code of Practice must be read in conjunction with *ABSA Assessor Procedures*, and documents referenced therein, which define rules for the conduct of assessments by Accredited Assessors.
- 3.3.2 *ABSA Assessor Procedures* are determined by the ABSA Board and are subject to regular amendment by the ABSA Board.

### 3.4 ABSA Document Schedule

- 3.4.1 The *ABSA Document Schedule* identifies documents related to the practice of ABSA Accredited Assessors as well as the date and content of revisions of these documents.
- 3.4.2 Assessors will be notified by email, by the ABSA Board, prior to the implementation of any additions or amendments to documents included in the *ABSA Document Schedule*.
- 3.4.3 The *ABSA Document Schedule*, and included documents, are made available to Assessors at the ABSA web site ([www.absa.net.au](http://www.absa.net.au) or [www.absa.net.nz](http://www.absa.net.nz)). Accredited Assessors that refer to printed copies of these documents must ensure that they maintain current editions.

Signature:.....

Date: .....

## **4. Terms of Agreement**

### **4.1 Agreement**

- 4.1.1 This Code of Practice is an agreement between ABSA and an Accredited Assessor, being the signatory on page one of this document.
- 4.1.2 ABSA will develop and maintain systems for the Accreditation of Assessors, as determined by the ABSA Board, for the purpose of:
  - enabling Accredited Assessors to practice in accordance with the requirements of specific building or development laws and regulations;
  - promoting the services of Accredited Assessors to regulators, industry and the public;
  - qualifying Accredited Assessors to access services and resources offered by ABSA.
- 4.1.3 The Accredited Assessor must abide by the terms of this *Code of Practice*.

### **4.2 Amendment**

- 4.2.1 This *Code of Practice* will not be amended without the prior written consent of ABSA and the Accredited Assessor.

### **4.3 Suspension**

- 4.3.1 An Accredited Assessor may be prohibited from providing services as an Accredited Assessor, for a specified period, due to failure to meet requirements of this *Code of Practice*, as specified in subsequent sections.
- 4.3.2 Suspension does not terminate this Agreement.

### **4.4 Cancellation of Accreditation**

- 4.4.1 Accreditation of an Assessor may be cancelled due to failure to meet requirements of this *Code of Practice*, as specified in subsequent sections.

### **4.5 Termination**

- 4.5.1 This Agreement will be terminated:
  - by the Accredited Assessor upon receipt by ABSA of written notification from the Accredited Assessor;
  - by ABSA upon Cancellation of Accreditation of the Assessor.

Signature:.....

Date: .....

# 5. Accredited Assessor Conduct

## 5.1 Professional conduct

- 5.1.1 Accredited Assessors must provide objective, accurate and impartial advice and assessment.
- 5.1.2 Accredited Assessors shall not engage in any conduct that is detrimental to the reputation or the best interests of ABSA or the building sustainability assessor profession.
- 5.1.3 Accredited Assessors must not offer services for which they can not demonstrate the skill, knowledge and experience required by:
  - this *Code of Practice* and / or;
  - applicable State or Federal laws and regulation and / or;
  - industry practice.
- 5.1.4 Accredited Assessors release and indemnify ABSA, Nominated Local, State, and Federal Government departments, and all officers and agents of ABSA and Nominated Local, State, and Federal Government departments, from and against all actions, proceedings, claims, and demands whatsoever, directly resulting from or arising out of:
  - Any negligence or other wrongful act or omission of the Assessor; and
  - In connection with, or in the course of, the performance or breach of this Code of Practice.

Current Nominated Local, State, and Federal Government departments are listed in ABSA Assessor Procedure documents.

## 5.2 Conflicting interests

Accredited Assessors must:

- 5.2.1 not allow any personal or financial interest to affect the results of an assessment;
- 5.2.2 declare to ABSA, the client and relevant regulatory authority, any interest they have in relation to an assessment, including:
  - receipt of fees for the provision of professional services related to the assessed project, other than the provision of sustainability assessments;
  - receipt of financial benefit from the use of products or services assessed or recommended by the Accredited Assessor;
  - any financial interest in the assessed project.

## 5.3 Communication with clients

- 5.3.1 Accredited Assessors must communicate with their clients to ensure that clients:
  - understand the fees, purpose, process and outcome of an assessment;
  - understand the cost, performance and other implications of any recommendations to change the design and construction of a project;
- 5.3.2 Accredited Assessor must have specific authorisation from the client in order to amend, alter or annotate plans and specifications for the assessed project.

Signature:.....

Date: .....

## 5.4 Privacy of information

- 5.4.1 Accredited Assessors shall not disclose information related to an assessment to parties other than:
- the client or the client's agent,
  - relevant regulatory and certifying authorities,
  - ABSA for the purpose of conducting auditing and quality assurance procedures,
- without the written permission of the client or the client's agent.

## 5.5 Assessor fees

- 5.5.1 The ABSA cannot set or recommend fees for the services provided by Assessors. Assessors should determine their fees based on probable costs and perceived market value.
- 5.5.2 It is a breach of the Trade Practices Act 1974 (Commonwealth) for ABSA to set fees or for Assessors to collude to set fees.

Signature:.....

Date: .....

## 6. ABSA accreditation requirements

### 6.1 Assessment

Accredited Assessors must:

- 6.1.1 conduct assessments in accordance with *ABSA Assessor Procedures* as defined and amended by the ABSA Board and detailed in the ABSA Document Schedule;
- 6.1.2 familiarise themselves, and practice in accordance with, the requirements of applicable building or development laws and regulations, or agreed procedures.

### 6.2 Contact details

- 6.2.1 Accredited Assessors must ensure that their contact details are kept up to date on the ABSA database. Assessors can access their records on the database on the ABSA web site ( [www.absa.net.au](http://www.absa.net.au) > Login > My Records > Contact Details or [www.absa.net.nz](http://www.absa.net.nz) > Login > My Records > Contact Details ).
- 6.2.2 The Accredited Assessor contact details, as defined on the ABSA database will be used by:
  - ABSA to communicate to Accredited Assessors, including any notices relating to requirements of, or changes to, *Assessor Procedures*;
  - members of the public, Councils and Certifying or other relevant Authorities to contact or check the status of an Accredited Assessor.
- 6.2.3 Failure to maintain current contact details may result in the Suspension of an Accredited Assessor until their contact details are updated.
- 6.2.4 Failure to maintain current contact details for a period greater than three months will result in the Cancellation of Accreditation.
- 6.2.5 Contact details must suitably define if the Assessor is prepared to undertake work for a client other than his/her own business. This information must be current.

### 6.3 Communication with ABSA

- 6.3.1 ABSA will notify Accredited Assessors of any changes to *Assessor Procedures*, and other documents identified in the *ABSA Document Schedule*, by email or post, to the address listed by the Accredited Assessor on the ABSA database.
- 6.3.2 Communication from Assessors to ABSA must be in the format required and to the address defined in *Assessor Procedures*.
- 6.3.3 ABSA contact details for general enquiries may be found on the ABSA web site: [www.absa.net.au](http://www.absa.net.au) or [www.absa.net.nz](http://www.absa.net.nz) .

### 6.4 ABSA Logo

- 6.4.1 The ABSA logo may be used and displayed by Accredited Assessors for:
  - assessment certificates and reports
  - business cards and letterhead
  - promotional material such as newsletters, leaflets, brochures, etc.
  - other applications approved in writing by the ABSA Board.
- 6.4.2 The Assessor's Accredited Assessor Number must be included underneath the logo image, Arial font or similar, no smaller than 8pt or 5% of the height of the logo image.
- 6.4.3 Digital copies of these logos are available upon request. Please contact ABSA for a logo pack

Signature:..... Date: .....

**6.5 Fees**

- 6.5.1 Accredited Assessors must pay Accreditation Fees on the date and of the amount determined by the ABSA Board and defined in *Assessor Procedures*.
- 6.5.2 Failure of the Accredited Assessor to pay Accreditation Fees by the required date will result in immediate Suspension of the Accredited Assessor, until receipt by ABSA of payment of required fees.
- 6.5.3 Failure of the Accredited Assessor to pay Accreditation Fees within three months of the required date will result in the Cancellation of Accreditation.

**6.6 Professional Indemnity**

- 6.6.1 ABSA and the ABSA Board do not take any liability for the performance of Accredited Assessors.
- 6.6.2 The Accredited Assessor indemnifies ABSA and the ABSA Board from any actions and costs associated with the provision of their services as an Accredited Assessor.
- 6.6.3 Accredited Assessors must provide evidence to ABSA of current Professional Indemnity Insurance as defined in *Assessor Procedures*. Professional Indemnity Insurance protects Assessors and their clients in the event that an assessment is improperly carried out, resulting in additional costs to the client.
- 6.6.4 Failure of the Accredited Assessor to provide evidence to ABSA of current Professional Indemnity Insurance will result in the immediate Suspension of the Accredited Assessor until such evidence is provided.
- 6.6.5 Failure of the Accredited Assessor to provide evidence to ABSA of current Professional Indemnity Insurance within three months of the expiry date of the required Professional Indemnity Insurance, will result in the Cancellation of Accreditation.

Signature:.....

Date: .....

## 7. Qualifications

### 7.1 Qualifications

7.1.1 Relevant qualifications are required by an Accredited Assessor in order to provide specific Assessment services as defined in *Assessor Procedures*.

### 7.2 Continuing Professional Development

Accredited Assessors must:

- 7.2.1 conduct a minimum number of assessments in a specified period, as defined in *Assessor Procedures*;
- 7.2.2 attend specific Professional Practice Briefings, as may be required by the ABSA Board, or demonstrate that the outcomes required of such Professional Practice Briefings have been met through means other than attendance;
- 7.2.3 achieve the minimum requirements for Continuing Professional Development (CPD) as required by the ABSA Board.
- 7.2.4 Failure of the Accredited Assessor to meet the above Professional Development Requirements will result in the immediate Suspension of the Accredited Assessor, until those requirements are met.
- 7.2.5 Failure of the Accredited Assessor to meet the above Professional Development Requirements within three months of the required date, will result in the Cancellation of Accreditation.

## 8. Quality Assurance

### 8.1 Auditing

- 8.1.1 ABSA may audit Assessments conducted by Accredited Assessors to ensure compliance with this *Code of Practice* and *Assessor Procedures*.
- 8.1.2 The process for audit submissions is defined in *Assessor Procedures*.
- 8.1.3 Failure to submit an assessment for audit by the required date may result in the immediate Suspension of the Accredited Assessor until the required audit submission is received.
- 8.1.4 Failure to submit an assessment for audit, within three months of the required date, will result in the Cancellation of Accreditation.

### 8.2 Declaration of assessments

8.2.1 Accredited Assessors must notify ABSA of assessments conducted in accordance with the requirements defined in *Assessor Procedures*.

### 8.3 Records

8.3.1 Accredited Assessors must maintain records of assessments conducted, for the period, and in accordance with the requirements, defined in *Assessor Procedures*.

Signature:.....

Date: .....

## 9. Discipline of Assessors

### 9.1 Disciplinary action

- 9.1.1 Accredited Assessors may be subject to disciplinary action by ABSA if:
- the Accredited Assessor fails to meet requirements of this *Code of Practice* or
  - one or more assessments conducted by the Accredited Assessor fails to meet the performance requirements defined in *Assessor Procedures*.
- 9.1.2 The procedure for such disciplinary action is:
- on receipt of a complaint, or if a suspected breach of the *Code of Practice* has occurred, ABSA shall contact the Assessor and discuss the matter;
  - if the matter cannot be resolved through the above process, ABSA will provide the Accredited Assessor with written notification of the complaint or suspected breach of the *Code of Practice*;
  - the Accredited Assessor may provide ABSA with a written response to the complaint or suspected breach of the *Code of Practice*, within two weeks of receipt of the notification;
  - if the matter cannot be resolved through the above process, the ABSA Board may determine to take disciplinary action.
- 9.1.3 The nature of the disciplinary action shall be determined by the ABSA Board and may include:
- a warning
  - a requirement for the Accredited Assessor to undertake additional training or demonstrate a specific competency
  - Suspension
  - Cancellation of Accreditation.
- 9.1.4 The ABSA Board shall provide the Accredited Assessor with written notification of its determination of any disciplinary action.

### 9.2 Appeal

- 9.2.1 The ABSA Board’s decision will be final and is not subject to appeal.
- 9.2.2 An Assessor that wishes to challenge the decision of the ABSA Board may do so through representation by an ABSA member implementing mechanisms provided in the ABSA Constitution:
- Clause 8 – Resolution of internal disputes
  - Clause 19 – General Meetings.

Signature:.....

Date: .....