
**Ministry of Housing, Communities and Local
Government**

**Scheme Operating Requirements for the
production of Energy Certificates**

Level 1 Document

2018 edition

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Document Control

Change History

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Code	Reason For Issue:
-	Not issued.
I	For information only – no action required.
R	For review – comments to be directed to the Project Manager.
S	For sign-off approval.
A	Approved for issue (electronic approval via e-mail or meeting minutes)
Code	Review Response:
c	Comments received – see review record for details.
n	No comments, document OK.
t	(Timeout) - no comments received within allowed review period.

Introduction

This document sets out the Secretary of State's current minimum high level requirements for those organisations in receipt of a Letter of Approval on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG) to operate an Accreditation Scheme in accordance with Regulation 22 of the Energy Performance of Buildings (England and Wales) Regulations 2012 (SI 2012/3118), as amended (the EPB Regulations), to enable Energy Assessors to issue Energy Certificates for: Domestic Energy Performance Certificates (EPCs) for new and existing dwellings, Non-Domestic Energy Performance Certificates, Display Energy Certificates (DECs) for public authority buildings and Air Conditioning Inspection Reports (ACIRs).

This document should be read in conjunction with the Level 2 document and associated Appendices, which provide more detailed requirements for how Accreditation Schemes meet these regulations and requirements. This document is intended for Energy Assessor Accreditation Schemes and Energy Assessors approved to carry out assessments in England and Wales.

The Glossary will set out definitions of terms used throughout the documents.

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1. Accreditation Scheme Requirements

1.1 Financial and operational stability

1. Accreditation Schemes will be financially viable.
2. Accreditation Schemes will have sufficient operational resilience to ensure business continuity.
3. Accreditation Schemes will have 'cease to trade' arrangements in place to ensure members' and stakeholders' data are protected. 'Stakeholders' includes building owners and other energy certificate customers.

1.2 Management systems

1. Accreditation Schemes will have a documented management system which sets out policies and procedures and demonstrates that they are applied in a fair and consistent manner and complies with the Secretary of State's letter of approval, Energy Performance of Buildings (England and Wales) Regulations 2012 (as amended) and other relevant legislative and operational requirements.

Accreditation Schemes and their members must comply with all relevant Data Protection legislation. Should there be a conflict between the SORs and statutory legislation, the latter takes precedence.

Accreditation Schemes and their members must not store, share, sell or disclose data that is collected for EPB purposes in any manner not compliant with EPB regulations and other statutory instruments, licencing, copyright and IPR requirements, Accreditation Scheme Letters of Approval or the SORs.

2. Accreditation Schemes will make available any documentation to MHCLG, or their agents, on request.
3. Accreditation Schemes will send monthly reports to MHCLG detailing relevant information and data for energy assessors and EPC activity.
4. Accreditation schemes will participate in any cross scheme surveillance moderation activities specified by MHCLG.
5. Accreditation Schemes will comply with all data related requirements contained within their Service Agreements as agreed with the Register Operator and amended from time to time.

1.3 Insurance

Accreditation Schemes will have procedures for ensuring that their members have and maintain insurance cover (professional indemnity and public liability) to protect Stakeholders.

1.4 Records

Accreditation Schemes will maintain a register of current and former members and maintain records of their activities in accordance with Data Protection legislation.

2. Suitability to become a member and maintain membership – 'fit and proper'

Accreditation Schemes will ensure that procedures are in place to determine whether a person is suitable, ('fit and proper') to become a member.

3. Competence of Prospective Members

Accreditation Schemes will only accredit those persons deemed to have met the competency criteria for the strand applied for (by way of a qualification or through Approved Prior Experiential Learning (APEL)).

4. Obligations on Accreditation Schemes

4.1 Accreditation Schemes will ensure that members comply with the Code of Conduct, which sets out the standards that a member is required to comply with.

4.2 Accreditation Schemes will ensure existing members maintain their competency by undertaking appropriate continuing professional development (CPD).

4.3 Accreditation Schemes shall take disciplinary action when directed or requested to by MHCLG. For example, Accreditation Scheme will 'strike off' an Energy Assessor for a serious breach of the code of conduct.

4.4 Accreditation Schemes will send monthly reports to MHCLG detailing relevant information and data for energy assessors and EPC activity.

4.5 Accreditation Schemes will participate in any necessary activities to further improve the quality of EPCs e.g. Cross Scheme surveillance moderation activities.

5. Surveillance

5.1 Surveillance of Members

1. Accreditation Schemes will audit a minimum of 2% of energy certificates lodged for each strand. A significant proportion of this shall be randomly sampled.

2. Accreditation Schemes will sample a minimum of 5% of members' CPD records each year to ensure the CPD obligation has been met.

5.2 Surveillance of Accreditation Schemes

1. Accreditation Schemes will be subject to audit surveillance by MHCLG or their appointed agents at appropriate times.

2. Accreditation Schemes will have quality assurance procedures and corrective actions in place where required standards are not met.

6. Disciplinary

6.1 Accreditation Schemes will have disciplinary procedures which may be initiated in the following circumstances:

1. Audit failure.
2. Breach of the obligations on the member.
3. Failure to be considered suitable (fit and proper) to continue as a member.

7. Complaints

7.1 Accreditation Schemes will have in place a complaints process which is made available to stakeholders to complain about the quality of an energy certificate or conduct of a member. This will be available at no cost to the stakeholders and complaints will be dealt with in a timely manner.

7.2 Accreditation Schemes will have in place a complaints process which is made available to members dissatisfied with the conduct of the scheme. This will be available at no cost to the member and complaint will be dealt with in a timely manner.

8. Appeals

8.1 Accreditation Schemes will ensure an appeals process is in place for prospective members appealing scheme decisions relating to their application to become a member.

8.2 Accreditation Schemes shall ensure an appeals process is in place for members appealing scheme decisions relating to their accreditation.

8.3 Accreditation Schemes will ensure an appeals process is in place for Stakeholders appealing scheme decisions relating to a complaint.

9. Support

9.1 Support to Stakeholders

1. Accreditation Schemes will provide general information to the general public and stakeholders concerning energy certificates in accordance with EPBR Regulations and for no other purpose.

2. Accreditation Schemes will acknowledge enquiries from stakeholders within one working day; the response must include an indication of when they can expect a substantive reply outlining what actions are being taken in order to resolve the matter.

3. Accreditation Schemes will direct stakeholders towards the Energy Certificate Registers to check the current status of their members.

9.2 Support to Members

1. Accreditation Schemes will provide a helpdesk to members.

2. Accreditation schemes will provide information to members to keep them updated with changes in software, conventions, audit requirements or other changes which materially affect the way members operate.

3. Accreditation Schemes will allow prospective members access to pricing information and other relevant documents.