



Code of Conduct

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EA Code of Conduct

This Code of Conduct applies to all members licensed by the Kaizen Certification Ltd scheme, regardless of their business type. It is available to both current and potential members and is completely transparent.

As a scheme, it is our responsibility to ensure that all members, whether new or existing, formally agree to abide by the Code of Conduct by signing a legally binding Declaration Agreement Form. This will ensure that all members of the scheme fully understand and comply with the requirements and terms set forth by the scheme.

Kaizen Certification Ltd will be responsible for enforcing the requirements outlined in the Code of Conduct to ensure that all members consistently understand and adhere to them. This will help to maintain a high standard of conduct among the members of the scheme and ensure that they are all meeting the expectations placed upon them by the Code of Conduct.

Failure to do so will result in the administration of disciplinary actions, which must be both reasonable and proportionate in light of the Code of Conduct violation.

The following fundamental principles are incorporated into the Code of Conduct that is used by Kaizen Certification Ltd:

- Undertake only those assessments for which the Scheme Member is currently competent, accredited and insured.
- Declare – and manage – any conflict of interest; if a conflict cannot be managed the job must be declined.
- Operate to recognised health-and-safety standards and stop (or refuse) work if site conditions are unsafe.
- Decline gifts, hospitality or inducements that could compromise, or be perceived to compromise, impartiality.
- Hold and maintain, for every strand, the minimum Professional Indemnity and Public Liability cover required by Appendix 1.3 of the SORs, including ten-year run-off cover.
- Follow the Scheme's standardised operational procedures so that energy assessments are accurate, consistent and replicable.
- Maintain and evidence robust Quality-Assurance procedures and accept Scheme audits when requested.
- Provide a clear, no-cost complaints procedure to stakeholders and cooperate fully with any investigation.
- Submit to an independent Appeals Panel where required.
- Keep up-to-date, secure membership records and retain assessment evidence for 15 years.

- Protect the confidentiality and integrity of assessment data and share it only in compliance with EPBR and Data-Protection legislation.
- Ensure the Scheme's finances are sound and its operational resilience plan is up to date.
- Operate as an Accreditation Scheme in England and Wales, and as an Approved Organisation in Scotland, complying with the Operating Framework for Approved Organisations – Energy Performance Certificates and relevant Scottish legislation.
- Give DLUHC (England and Wales) or its auditors, and the Scottish Government Building Standards Division or its appointed auditors, unrestricted access to Scheme data, operations and records when lawfully requested.
- Pursue continuous improvement of administrative and operational systems to meet all current legislative and SOR requirements.

Purpose of the Code of Conduct

The following are some of the goals that the Code of Conduct hopes to accomplish:

- To provide assistance to everyone involved in the development of EPCs and DEC's.
- To assuage the fears of members of the general public and other parties with an interest in the matter by reassuring them that evaluations are carried out in a manner that is both professional and ethical, and that they comply with all applicable laws.
- To ensure that the most recent EPBR Scheme Operating Requirements and the Operating Framework are communicated to all Energy Assessors, both directly and indirectly, via this Code of Conduct and any other scheme policies that may be implemented.

General Information

Periodically, the Code of Conduct may be amended, and it is the obligation of the Scheme Members to be informed of any updates. Any modifications to the published material shall, however, be communicated to all Scheme Members by Kaizen Certification Ltd.

For Scheme Members applying to join Kaizen Certification Ltd., the EA Members Pack contains all necessary papers, including the pertinent agreement, licence terms, and conditions. Scheme Members may consult Kaizen Certification Ltd if they have any questions about how the Code of Conduct should be interpreted.

National law does not supersede the Code of Conduct of Kaizen Certification Ltd Members of the Scheme shall adhere to the terms of the Scheme as a minimum and assume any additional obligations imposed by law or by generally accepted standards.

Terminology and scope: "Accreditation Scheme" includes "Approved Organisation" when operating in Scotland. Requirements apply across England, Wales and Scotland, with

Scotland-specific duties set out in the Scottish Government's Operating Framework for Approved Organisations – Energy Performance Certificates.

In the same way that any Scheme Member who violates national or international laws may also violate the Kaizen Certification Ltd Code of Conduct, any Scheme Member who is found to be in violation of the Kaizen Certification Ltd Code of Conduct may also be in violation of national or international laws.

Code of Conduct Requirement

The Appendices of this document contain a list of the Code of Conduct standards that the EA must follow for each specific scheme for which they have been certified. For simple viewing and comprehension, they are separated into separate schemes and recorded accordingly. The EA is responsible for making sure that they follow each of the listed clauses; otherwise, Kaizen Certification Ltd will take the previously mentioned disciplinary steps.

The Appendices are broken down as follows:

- **Appendix A** – Non-Domestic Energy Assessor (NDEA) L3 & L4.
- **Appendix B** – Non-Domestic Energy Assessor (NDEA) L5.
- **Appendix C** – Display Energy Certificates (DECs).
- **Appendix D** – On-Construction Energy Assessor (OCDEA).

Policing the Code of Conduct

With the client, their representatives, or a responsible adult present during the inspection, we as a scheme shall conduct checks to make sure that our Scheme Members are in compliance with the applicable Scheme Code of Conduct.

If a customer complains about an EA or a certificate, we will at the very least get in touch with them to see if they can comment on whether the EA followed the requirements of the Code of Conduct.

When a member is suspended for violating a particular code of conduct or when we receive a complaint, we investigate to see if they have kept and are maintaining the necessary amount of insurance.

Breach of the Code of Conduct

Scheme Members must be fully aware that Kaizen Certification Ltd will take appropriate action when any Scheme Member violates the Code of Conduct standards. The following strategy will be taken into consideration if disciplinary action is taken against the Scheme Member:

- The gravity of the violation in terms of the potential impact that the violation may have on the customer or the stakeholders.
- Whether or whether there have been previous violations, whether or not they may be pertinent, and how recently these incidents have taken place.
- Any further evidence that may be useful that is currently at hand and could be relevant.

The severity of the transgression will be categorised as one of the following:

Minor Transgression

There was no major harm done to a consumer or other stakeholder as a result of the offence. The right course of action in this situation would be to tell the Scheme Member about the nature of the deficiency and monitor any behavioural improvements made by the Assessor. As an illustration, consider the case of a misinterpretation of a code of conduct provision that has no influence on the client, homeowner, or other stakeholder.

Significant Transgression

A transgression that significantly affects a consumer, homeowner, or other stakeholder. Between minor and major transgressions, this category exists. Depending on the transgression, the EA may need to do further training to change their behaviour while still being permitted to submit certifications or they may be suspended until the training is finished. An example would be if, despite no actual complaints to the Scheme, client feedback from a regular Scheme user feedback exercise indicated a substantially greater than typical degree of dissatisfaction with the assessor's behaviour.

Major Transgression

convincing proof that a scheme member violated the code of conduct in a way that significantly harmed the client or other stakeholders. Here, it is likely that a Scheme Member will be placed on probation until a disciplinary trial. Examples include instances where a Scheme Member has given a householder or customer specific advice or a specific recommendation that is outside the scope of the Scheme Member's responsibilities and is intended to secure additional work from the Scheme Member rather than being a standard output from the EPBR software or a recommendation that reflects a professional judgement.

On request from the householder/customer or another stakeholder, Kaizen Certification Ltd failed to provide the householder/customer or other stakeholder with a copy of the company's complaints and appeals policy document.

When a violation of any kind has occurred, Kaizen Certification Ltd is required to assess and document the efficacy of the corrective action. If the corrective action does not effectively address the infraction, the complaint or appeal will be escalated in accordance with the Kaizen Certification Ltd.'s Complaints and Appeals Policy guidelines.

Further Examples

The clauses that will be considered a major violation and result in an immediate suspension of the Scheme Member pending an inquiry by Kaizen Certification Ltd in a timely manner are marked with an asterisk (*) in the appendices for each specific scheme. The sentences (1) that rely on the breach's nature being covered by particular EPBR requirements in the SOR outside of the

sentence in question are also noted. For instance, as it is not a specific requirement of the applicable SOR, people who we suspend for late payments shall not be recorded as "suspended" on the EPC registry.

The actions taken by Kaizen Certification Ltd must be proportionate to the findings of those inquiries and in accordance with the other standards of this Code of Conduct when the evidence is weaker than convincing and more anecdotal.

The specific code of conduct provisions that there is convincing evidence that a violation will result in the following are also listed in the appendices:

- a. In the first case, Kaizen Certification Ltd is obligated to notify the Scheme Member that they have violated the Code of Conduct and provide guidance regarding the corrective actions that are required of them.
- b. In the second instance, the Scheme Member is to be reprimanded and informed that a further failure will result in them having to face disciplinary action, which shall be that they are suspended until they have undertaken measures to remedy the deficiency. In the third instance, the Scheme Member is to be reprimanded and informed that a further failure will result in them having to face termination.

The third situation sees the Scheme Member suspended until they take the actions Kaizen Certification Ltd has deemed reasonable and proportional to correct the problem. Additional examinations will be carried out by Kaizen Certification Ltd to determine how effective those methods were.

Conflict of Interest

A conflict of interest exists where the Member's impartiality could reasonably be questioned. Assessors must not proceed with an assessment unless the conflict can be effectively managed and the client has been informed in writing. Examples include:

- The property is owned by the Member, a close relative or a business associate.
- The Member, or their employer, has a current financial interest in the sale, letting or refurbishment of the building.
- Any situation where a fee, gift, hospitality or inducement is offered that might influence the assessment outcome.

They should:

Make sure the certification documentation makes clear their link. Let the client know in advance of the assessment how much they are interested; and if unsure about what to do, get advice from Kaizen Certification Ltd.

Record Keeping

Members of the Kaizen Certification Ltd Scheme are required to follow the following guidelines for record keeping as a minimum:

1. The Scheme Member will always keep the written records they need to be able to meet all of their responsibilities under the scheme. The Scheme Member will fill out data collection and site note forms, either on paper or on a computer.
2. An explanation of why parts of the property can't be accessed and how that affects the site assessment.
3. They must be complete, consistent, easy to read, and have enough information.
4. All notes about a site must be kept safe for 15 years. Evidence must be sufficient to allow an independent re-assessment of the building model and recommendations, and to support AO audit.
5. Any declaration of interest should be written on the certification application and/or in the site notes (e.g. declaration of a conflict of interest in the property or interest in the potential sale).

Rules of Professional Conduct

Members of the scheme are required to conduct themselves in accordance with the fundamental principles outlined below at all times:

- Comply with all UK legislation relevant to energy assessment, including EPBR, Building Regulations, Health & Safety, Data-Protection and Competition law.
- Act honestly, transparently and courteously in all professional dealings.
- Show the Kaizen Certification photo-ID card on arrival at every site.
- Refuse to continue an assessment if unaccompanied children or vulnerable adults are present.
- Explain to the client/occupier the purpose of the visit, the need for photographs, and how the resulting Energy Certificate can be retrieved from the Register.
- Advise the client, in writing, that their statutory rights are not affected by the Scheme's complaints or appeals processes.
- Safeguard personal information obtained during an assessment and share it only with the Scheme or as required by law.
- Keep complete, legible site notes, calculations, photographs and supporting evidence for 15 years in a secure, resilient manner.
- Use suitably trained and insured assistants only; the accredited EA retains full responsibility for the assessment.
- Undertake a minimum of 10 hours CPD per year (plus 5 hours for each additional strand) and provide evidence on request.
- Notify the Scheme within two weeks of receiving any complaint and cooperate fully with its resolution.
- Renew the Basic Disclosure certificate at least every three years, declare any new convictions immediately, and note that Basic Disclosure is mandatory for existing dwellings in Scotland.
- Avoid any action that could bring the EPBR process, the Register Operator, Kaizen Certification or the profession into disrepute.
- Where a lodged certificate is found to be below standard following audit or complaint, the assessor must replace it within six weeks of notification, unless otherwise directed

by the Scheme/AO. This follows the Scottish AO requirement that defective certificates are replaced within six weeks and that responsibility sits with the original assessor.

Dealing with Customers

Scheme Members should note that:

- The Scheme Member must tell Kaizen Certification Ltd about how they handle customer feedback and complaints.
- The Scheme Member must make it explicit – in writing – that a stakeholder’s statutory rights are not affected by using either the Member’s or the Scheme’s complaints or appeals procedures.
- The Scheme Member must tell every client for whom they are asked to make a certificate about how they handle complaints.
- The Scheme Member must tell the client or homeowner that any complaints will not change their legal rights. This needs to be mentioned in the letter to the client or homeowner.
- Complaints should be handled first by the Scheme Member or their employer, and if that doesn't work, they should be sent to Kaizen Certification Ltd.
- When they get a complaint, Scheme Members have to tell their customers about the Kaizen Certification Ltd Complaints and Appeals Policy document. When operating in Scotland, if a complaint is not resolved by the assessor, the complainant must be given access to the AO complaints procedure, and the assessor must notify the AO of any unresolved complaint.
- If the building is occupied, the occupant's cooperation is voluntary and must be based on having enough and correct information about the general purpose and nature of the assessment.
- Occupants' rights as private people will be respected by Scheme Members, and they won't be hurt or hurt anyone by helping with an assessment.
- The Scheme Member must show their Kaizen Certification Ltd ID at all non-residential and residential properties they visit.
- Before leaving site, the Member must remind the client/occupier that the lodged certificate will be publicly viewable and downloadable from the appropriate Energy Certificate Register.

Briefing Others

In addition, in the course of carrying out any work, the Scheme Member or any person acting on their behalf or at their instruction or inducement shall not act in a manner that compromises or impairs, or is likely to compromise or impair, any of the following: the integrity of the Scheme; the integrity of the Scheme's operations; the integrity of the Scheme's financial resources; or the integrity of the Scheme's operations.

- The high standards of professional behaviour that are required of a Scheme Member
- The reputation of Kaizen Certification Ltd or other Scheme Members or the relevant

- profession.
- The integrity of the Scheme Member.
- The reputation of other Scheme Members or the relevant profession.
- Unless they are utilising agreed media or are in possession of the explicit authority of the Kaizen Certification Ltd Board, they are not allowed to claim or imply that they represent the opinions of Kaizen Certification Ltd.

General Notes

- A Scheme Member is required to take all reasonable steps to ensure that Kaizen Certification Ltd is informed of any formal complaints made to them or their employer in regard to the certification scheme. These complaints can be about the certification scheme itself.
- Complaints are defined as any complaint that is submitted in writing (by letter or e-mail) concerning any matter that is relevant to the EPC or DEC. This definition is provided for the purpose of providing clarity (even if not directly related to Kaizen Certification Ltd).
- Evaluations have to be in accordance with the national and international laws that are pertinent to a particular project. This includes, in particular, the General Data Protection Regulation (GDPR) or other similar laws that are applicable in countries other than the UK.
- All certificates issued by Scheme Members to their clients must be lodged on the appropriate Energy Certificate Register (ECR) without exception.
 - England, Wales & Northern Ireland
 - Scotland
- Any publicity, manner of advertising, or marketing activity for which they are accountable is factual, does not mislead consumers, and does not have the potential to offend or annoy members of the general public.
- Any reference to the Kaizen Certification Ltd scheme, as well as the use of any logo or design that belongs to it, must be used in strict conformity with the requirements for the use of that material. This includes the use of any logo or design that belongs to it.
- Utilisation of any such mark or design does not in any way jeopardise the credibility of the certification scheme or the participation of its members.
- In compliance with the General Data Protection Regulation, Scheme Members are able to submit a subject access request to Kaizen Certification Ltd (GDPR). This must be communicated to the attention of the Domestic Technical Manager in a written format.
- When a Scheme Member's membership in the scheme is cancelled and their certificate is withdrawn, Kaizen Certification Ltd is obligated to notify any and all other applicable certification or accreditation schemes.
- If a member's certification is revoked by another scheme, Kaizen Certification Ltd will take immediate action to suspend that member. The member's membership in Kaizen Certification Ltd.'s scheme will be withdrawn after the other scheme is contacted and asked for the reason for the suspension.

- Kaizen Certification Ltd will not disclose, analyse, interpret, or distribute any information that is contained within Energy Assessments that have been lodged through the system because doing so would be in violation of Regulation 14 and, as a result, a criminal offense. This is because doing so would constitute a violation of the law.

Environmental Responsibility and Sustainability Practices

Scheme Members must integrate environmental responsibility into their professional activities. This includes adhering to sustainable practices during energy assessments, using resources efficiently, and minimising waste. Members should advocate for and implement practices that reduce environmental impact, such as promoting energy conservation and recommending sustainable energy solutions. Scheme Members are encouraged to stay informed about developments in sustainable technologies and environmental impact mitigation strategies relevant to their field. This commitment to environmental stewardship must be evident in the conduct of assessments, selection of materials, and disposal methods, ensuring all activities align with broader sustainability goals.

Disciplinary Regulations

If a Scheme Member is found to have engaged in unprofessional behaviour, they may face the possibility of having their certification removed from (part of or all of) the scheme, as well as other forms of disciplinary action, in accordance with the Disciplinary Regulations.

As a point of clarification, the following are some of the scenarios in which a Scheme Member could be found guilty of engaging in unprofessional conduct:

1. Being found guilty of a major arrestable offence or receiving a caution for the same.
2. Being guilty of any act or conduct that, in the view of Kaizen Certification Ltd., has the potential to bring shame upon the profession, the professional body, or the Scheme Members of the organisation.
3. Being found to have violated any of the guidelines that are outlined in this Code of Conduct in any way.
4. Being found to be in violation of any of the provisions that have been outlined in any of the guidelines or rules that have been established by Kaizen Certification Ltd.
5. It is discovered that the individual did not register a certificate with the relevant Energy Certificate Register.
6. Being found to have violated any other regulations that have been established by Kaizen Certification Ltd in any way.
7. Failing to cooperate with the investigation of a complaint being conducted by Kaizen Certification Ltd for no valid cause.

8. In the absence of any mitigating circumstances, having filed for bankruptcy or having negotiated any sort of agreement or composition with their creditors.
9. Failing to notify Kaizen Certification Ltd of any offences that would constitute a violation of the criteria for the Fit and Proper requirements.
10. Being found to be in violation of the General Data Protection Regulation (GDPR) or other legislation that is comparable and applicable outside the UK, or
11. Kaizen Certification Ltd finding that you have violated any of the rules of the General Data Protection Regulation (GDPR) or similar restrictions laid out in analogous law outside the UK.
12. An independent appeals panel will operate to review decisions made by Kaizen Certification Ltd regarding disciplinary actions. This panel will consist of members who are not directly involved in the initial investigation or decision. Details on how to appeal, including contact information and procedural steps, will be provided with every disciplinary notice.

A procedure for determining the severity of an offence will be outlined in the Disciplinary Regulations, and it will be based on the three different levels that have been outlined in this document. Every single Scheme Member has the ability to file an appeal against any disciplinary decision that was made by Kaizen Certification Ltd. In order to reach a decision that is satisfactory for both the Scheme Member and Kaizen Certification Ltd., the Appeals Panel will act as an arbitrator between the two parties. In order to get further information, kindly consult the Complaints and Appeals Policy paper provided by Kaizen Certification Ltd.

Data Protection and Compliance

1. Data Protection Principles:

All Scheme Members must adhere to the following key principles of data protection:

- Lawfulness, Fairness, and Transparency: Personal data shall be processed lawfully, fairly, and in a transparent manner.
- Purpose Limitation: Personal data shall be collected for specified, explicit, and legitimate purposes and not further processed in a manner incompatible with those purposes.
- Data Minimisation: Personal data shall be adequate, relevant, and limited to what is necessary.
- Accuracy: Personal data shall be accurate and, where necessary, kept up to date.
- Storage Limitation: Personal data shall be kept in a form that permits identification of data subjects for no longer than is necessary.

- Integrity and Confidentiality: Personal data shall be processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing, accidental loss, destruction, or damage.

2. Data Rights of Individuals:

Scheme Members must respect and uphold the rights of individuals under data protection laws:

- Right to Access: Individuals have the right to access their personal data.
- Right to Rectification: Individuals can have inaccurate personal data corrected.
- Right to Erasure: Under certain circumstances, individuals can request the deletion of their personal data.
- Right to Restrict Processing: Individuals can request the restriction of the processing of their personal data.
- Right to Data Portability: Individuals can ask for the transfer of their personal data to another organisation.
- Right to Object: Individuals have the right to object to certain types of processing of their personal data.

3. Data Breach Protocols:

In the event of a data breach, Scheme Members must:

- Immediately notify Kaizen Certification Ltd and the affected individuals if there is a high risk to their rights and freedoms.
- Inform affected individuals if there's a high risk to their rights and freedoms due to the breach.
- Document the breach, detailing its effects and the remedial action taken to prevent future occurrences.

4. Regular Training:

All Scheme Members must undergo regular training on data protection to ensure they remain updated on the latest regulations and best practices.

5. Data Retention and Erasure:

Personal data should be retained only for as long as necessary. Once the data is no longer required, it should be securely erased in compliance with the General Data Protection Regulation (GDPR).

6. Third-party Data Sharing:

Before sharing data with third parties, Scheme Members must ensure:

- The third party also complies with data protection laws.
- There's a legitimate reason for sharing the data.
- The individual has been informed, and where necessary, consent has been obtained.

7. Regular Audits:

Scheme Members are subject to regular audits by Kaizen Certification Ltd to ensure ongoing compliance with data protection laws.

8. Compliance Audits:

Scheme Members will undergo regular audits conducted by Kaizen Certification Ltd to ensure ongoing compliance with data protection laws and to identify areas for improvement in data handling and security practices.

Insurance Cover

Every practising Member must hold continuous Professional Indemnity (PI) and Public Liability (PL) insurance at – or above – the minima set out in Appendix 1.3 of the SORs and must maintain ten-year run-off cover after they cease trading or leave the Scheme. Evidence of valid cover (or of cover arranged through the Scheme's block policy) must be filed at application, at every renewal and on any mid-term change. Failure to supply up-to-date evidence results in immediate suspension until proof is received.

If a Scheme Member decides to provide evidence of, and be insured using their own insurance policy(s), they must ensure the following:

The minimum levels of insurance cover required are detailed in the table below:

Assessment Type	Level of Cover	Type of Cover
Commercial EPCs	£250,000	Professional Indemnity*
	£1,000,000	Public Liability* (L3 & 4 Existing Buildings)
Public Building DEC's	£100,000	Professional Indemnity*
	£1,000,000	Public Liability*
Newly Built Dwellings	£50,000	Professional Indemnity*

* Amounts required for each claim in relation to any particular EPC/ DEC

Note. For Scotland, AO minima are at least £50,000 Professional Indemnity for domestic and £100,000 for non-domestic per claim. The minima above meet or exceed these thresholds.

Minimum details to appear on the insurance certificate are listed below:

- Name of the Scheme Member and/ or company name they are certification/accredited on behalf of, to appear on the insurance certificate.
- Policy number.
- Start and end date of the policy.
- Name of the insurance company.
- Limits of PI and PL insurance cover.
- Nature or purpose of the Scheme Member's business to be relevant to the certification/accreditation applied for or held.

Any time there is a change to the policy, a Scheme Member who uses their own insurance coverage is required to inform Kaizen Certification Ltd. Should the Scheme Member fail to comply with this requirement, disciplinary action may be taken against the member.

In the event that a Scheme Member discloses information that is found to be fraudulent or erroneous, the member will be subject to disciplinary action.

A friendly reminder will be sent out by Kaizen Certification Ltd in the event that a Scheme Member is required to submit a new policy because the details that they currently have are about to expire. If a new policy is not received before the current policy expires, the member's membership will be temporarily suspended until a new policy has been fully submitted.

Members must also maintain the same level of run-off cover for ten years after their last lodgement.

EPBR Guidance

Kaizen Certification Ltd will make available to all Scheme Members copies of the latest EPBR requirements for the undertaking of the following:

- Display Energy Certificates
- Commercial Energy Assessments
- On Construction Domestic Energy Assessments

Through the Kaizen Certification Ltd Members Area, which is a resource that is made available to all certified members of the organisation, free access can be gained to the aforementioned papers. On the occasion of the implementation of any revisions to the EPBR requirements and conventions, they will be updated on the member's area and referenced in a technical bulletin that will be distributed to all Scheme Members. Please visit <http://www.communities.gov.uk> for the most up-to-date versions of these documents. For Scotland, members must use calculation methodologies and software approved for use in Scotland and follow any AO or Scottish Government updates issued to maintain effective certification practice.

Member Status

It is possible that Kaizen Certification Ltd would be obliged to suspend or revoke a member owing to notification received from another scheme. Kaizen Certification Ltd will monitor the status of all Scheme Members.

According to the regulations of EPBR, all schemes will be notified whenever a member's eligibility is withdrawn or suspended. The following action will be performed, if necessary, in the event that this member already possesses certification from another scheme:

Suspension Notification: In the event that Kaizen Certification Ltd is notified by another scheme of the suspension of a member, your membership with Kaizen Certification will be put on hold. The reason for this will be investigated, and a check will be made to see if there is any more action that should be taken. The suspension will continue to be in effect until such time as the notifying certification scheme issues a notification that it has reinstated the certification. After that, Kaizen Certification Ltd will make the necessary arrangements to get your membership reinstated.

Revocation: If another certification scheme notifies Kaizen Certification Ltd that a member's membership has been revoked, Kaizen Certification Ltd will immediately suspend your membership in their organisation. From the other plan, we will learn the reason for this, and if it is due to one of the following, we will proceed accordingly:

- Being charged with or struck off after being found guilty of committing a criminal offence, which may include, but is not limited to, murder, manslaughter, burglary, theft, assault, fraud, and/or sexual offences of any type; and/or
- Violating the Code of Conduct, either intentionally or negligently, and/or
- Failure to meet the Quality Assurance (QA) standards to respond to requests for information associated with the QA procedures operated by the scheme; and/or
- Fail to comply with any requirements arising from the QA procedures operated by the scheme, including the need to keep proper records, undertake additional training or CPD, or submit to re-evaluation of their professional competence. This includes failing to keep proper records, undertaking additional training or CPD, and failing to submit to re-evaluation.

Scottish EPC Register notifications. When operating in Scotland, Kaizen will notify the keeper of the Scottish EPC Register of any change in a member's status within one working day of the change being recorded in Kaizen systems. and members consent to such notification.

Sharing with Scottish Government and other AOs. Where membership is suspended or withdrawn, Kaizen will advise other Approved Organisations and the Scottish Government of the

change in status with reasons, and members consent to such sharing for compliance and enforcement purposes.

Kaizen Certification Ltd will determine the most appropriate step to take if the cause for the member is not specified above. However, an email confirming the action taken will be issued to the member based on the email address that was provided during the time of application. This right is reserved by Kaizen Certification Ltd., which also reserves the right to invoke the aforementioned provisions without providing prior notice to the Scheme Member.

In the event that the member's status is changed from revoked to registered as a result of an additional update issued by the initial notifying scheme, Kaizen Certification Ltd will reconsider this decision. After that, a decision will be made on whether or not Kaizen Certification Ltd will readmit the member to our programme. Should this course of action be pursued, Kaizen Certification Ltd may condition membership on the fulfilment of certain requirements, such as periodic retraining or a more stringent auditing regimen. In order to ensure conformity with the conditions set forth by EPBR devolved administrations, each occurrence will be evaluated according to its own unique characteristics.

If a Scheme Member has any questions or issues regarding this section or needs further clarification, they are required to get in touch with Kaizen Certification Ltd.

Individual Scheme Code of Conduct Requirements

Appendix A - Code of Conduct Requirements (NDEA L3 & L4)

This section breaks down the scheme Code of Conduct Requirements for NDEA L3 & L4 as stipulated by the relevant EPBR scheme operating requirements (SORs) and Operating Framework.

NDEA L3 & L4		
SOR Clause	OF Clause	Clause
1.1.1	†	The EA shall sign a Code of Conduct, provided by the Scheme, which includes the requirements in paragraphs 1.1.2 to 1.1.16 below.
1.1.2*	3.2	The EA shall not provide an EPC where there is a conflict of interest in doing so. If an EA is uncertain what constitutes a conflict of interest they shall contact their Scheme to gain clarification.
1.1.3*	†	The EA shall act in a professional manner, as defined by the relevant “National Occupational Standards”, available from Asset Skills.
1.1.4 ²	†	The EA shall notify the Scheme operator of any complaints they have received.

1.1.5*	†	Where an EA receives a complaint they shall provide the complainant with the relevant complaints procedure, and explain to them that if they are not satisfied with the way that the complaint is handled, how the Scheme complaints procedure can be accessed. The EA shall explain that the complainant's statutory rights are not affected by accessing the complaints procedures.
1.1.6*	†	Information obtained by the EA shall be confidential where it is not covered by the requirements to provide that information to their Scheme, to the organisation or individual who has commissioned the work, and to other formal requirements associated with the EPBR, including lodging the EPC on the appropriate Registry.
1.1.7*	3.2	An EA shall not undertake an EPC if the nature of the building is such that the EA lacks the competence or knowledge to produce an accurate EPC for that building.
1.1.8	†	The EA shall agree to their Scheme/AO sharing information it holds on the EA with other Scheme operators, Green Deal Certification bodies/approved organisations, EPBR devolved administrations, the Department for Business, Energy & Industrial Strategy (BEIS), and the Green Deal Oversight Body regarding paragraphs 1.1.8.1 to 1.1.8.4 below:
1.1.8.1	3.2	Disciplinary actions associated with any of: a) A failure to meet the EA Code of Conduct. b) The production of defective EPCs. c) A failure to meet CPD requirements. d) Other matters relevant to the Code of Conduct.
1.1.8.2	3.2	Complaints against the EA which the Scheme has knowledge of.
1.1.8.3	†	Competency assessments, including the outcome of any QA checks.
1.1.8.4	†	The EA's CPD records.
1.1.9*	†	In the course of their work the EA shall take reasonable steps to ensure their own, and the public's, health and safety. If an EA considers a building, or part of the building, unsafe they shall: a) Record any such instances in their site notes. b) If necessary, inform others as part of their duty of care. c) If necessary, not continue with the provision of an EPC.
1.1.10*	†	The EA shall show their identification to the person who provides access to the building and to the Customer (if different, and if possible).
1.1.11 ²	†	The EA shall discuss with the person allowing them access to the building: a) What access will be required, and whether this access is possible. b) What photographs will be required, and why they are being taken. c) What the person allowing access to the building should do if they
		have a complaint about the behaviour of the EA.
1.1.12*		The EA shall lodge all EPCs produced in accordance with Scheme requirements.

	†	
1.1.13 *1	†	The EA shall agree to be bound by all Scheme rules, shall follow all Scheme procedures, and will be bound by Scheme disciplinary procedures unless they are overturned on appeal.
1.1.14 ²	3.2	The EA shall ensure that records associated with the production of an EPC are stored in a safe and secure manner. Records must be sufficient to permit an independent re-assessment of the building and recommendations.
1.1.15*	3.2	The EA shall ensure that they are covered by an appropriate Level of Professional Indemnity and Public Liability insurance, and shall not provide an EPC unless so covered.
1.1.16*	†	The EA shall not undertake any action that brings the EPBR or the Regulations that implement it into disrepute.

* Denotes the clauses that shall be seen as a 'major transgression' which shall result in the immediate suspension of the EA, pending an investigation from Kaizen Certification Ltd which shall be undertaken in a timely manner.

¹ Denotes that the action is dependent on the nature of the breach being covered by specific EPBR requirements in the SOR outside of the given paragraph.

² Denotes that compelling evidence regarding a breach of the Code of Conduct shall normally result in the 1st, 2nd and 3rd tier actions.

† Whilst not specifically referenced in the Operating Framework, this clause forms part of the Code of Conduct and the scheme operating requirements.

Appendix B - Code of Conduct Requirements (NDEA L5)

This section breaks down the scheme Code of Conduct Requirements for NDEA L5 as stipulated by the relevant EPBR scheme operating requirements (SORs) and Operating Framework.

NDEA L5		
SOR Clause	OF Clause	Clause
1.1.1	†	The EA shall sign a Code of Conduct, provided by the Scheme, which includes the requirements in paragraphs 1.1.2 to 1.1.17 below.
1.1.2*	3.2	The EA shall not provide an EPC where there is a conflict of interest in doing so. If an EA is uncertain what constitutes a conflict of interest they shall contact their Scheme to gain clarification.
1.1.3*	†	The EA shall act in a professional manner, as defined by the relevant "National Occupational Standards", available from Asset Skills.
1.1.4 ²	†	The EA shall notify the Scheme operator of any complaints they have received.

1.1.5*	†	Where an EA receives a complaint they shall provide the complainant with the relevant complaints procedure, and explain to them that if they are not satisfied with the way that the complaint is handled, how the Scheme complaints procedure can be accessed. The EA shall explain that the complainant's statutory rights are not affected by accessing the complaints procedures.
1.1.6*	†	Information obtained by the EA shall be confidential where it is not covered by the requirements to provide that information to their Scheme, to the organisation or individual who has commissioned the work, and to other formal requirements associated with the EPBR, including lodging the EPC on the appropriate Register.
1.1.7*	3.2	An EA shall not undertake an EPC if the nature of the building is such that the EA lacks the competence or knowledge to produce an accurate EPC for that building.
1.1.8	†	The EA shall agree to their Scheme sharing information it holds on the EA with other Scheme operators, Green Deal Certification bodies/approved organisations, EPBR devolved administrations, the Department for Business, Energy & Industrial Strategy (BEIS), and the Green Deal Oversight Body regarding paragraphs 1.1.8.1 to 1.1.8.4 below:
1.1.8.1	3.2	Disciplinary actions associated with any of:
		a) A failure to meet the EA Code of Conduct. b) The failure of a Scheme audit. c) A failure to meet CPD requirements. d) Other matters relevant to the Code of Conduct.
1.1.8.2	3.2	Complaints against the EA which the Scheme has knowledge of.
1.1.8.3	†	Competency assessments, including the outcome of any QA checks.
1.1.8.4	†	The EA's CPD records.
1.1.9*	†	In the course of their work the EA shall take reasonable steps to ensure their own, and the public's health and safety. If an EA considers a building, or part of the building, unsafe they shall: a) Record any such instances. b) If necessary inform others as part of their duty of care. c) If necessary not continue with the provision of an EPC.
1.1.10*	†	The EA shall show their identification to the Customer (if possible).
1.1.11 ²	†	The EA shall discuss with the Customer the background to the EPC including information requirements, and what they should do if they have a complaint about the work of the EA.
1.1.12*	†	The EA shall lodge all EPCs produced in accordance with Scheme requirements.
1.1.13* *1	†	The EA shall agree to be bound by all Scheme rules, shall follow all Scheme procedures, and will be bound by Scheme disciplinary procedures unless they are overturned on appeal.

1.1.14 ²	3.2	The EA shall ensure that records associated with the production of an EPC are stored in a safe and secure manner.
1.1.15*	3.2	The EA shall ensure that they are covered by an appropriate Level of professional indemnity, and shall not provide an EPC unless so covered.
1.1.16*	†	The EA shall not undertake any action that brings the EPBR or the Regulations that implement it into disrepute.
1.1.17*	†	Where the EA uses others to collect information required for, or enter data into, a DSM. a) The EA who lodges the EPC shall take full responsibility for the findings in the report, including information identified, or entered into the DSM, by others. b) The EA shall take all reasonable steps to ensure that those who work for them recovering information or entering data have suitable insurance cover, and are competent to undertake the work.

* Denotes the clauses that shall be seen as a 'major transgression' which shall result in the immediate suspension of the EA, pending an investigation from Kaizen Certification Ltd which shall be undertaken in a timely manner.

¹ Denotes that the action is dependent on the nature of the breach being covered by specific EPBR requirements in the SOR outside of the given paragraph.

² Denotes that compelling evidence regarding a breach of the Code of Conduct shall normally result in the 1st, 2nd and 3rd tier actions.

† Whilst not specifically referenced in the Operating Framework, this clause forms part of the Code of Conduct and the scheme operating requirements.

Appendix C - Conduct of Conduct Requirements (DEC)

This section breaks down the scheme Code of Conduct Requirements for DEC as stipulated by the relevant EPBR scheme operating requirements (SORs).

DEC	
SOR Clause	Clause
1.1.1	The EA shall sign a Code of Conduct, provided by the Scheme, which includes the requirements in paragraphs 1.1.2 to 1.1.16 below.
1.1.2*	The EA shall not provide a DEC and any associated Advisory Report where there is a conflict of interest in doing so. If an EA is uncertain what constitutes a conflict of interest they shall contact their Scheme to gain clarification.
1.1.3*	The EA shall act in a professional manner, as defined by the relevant "National Occupational Standards", available from Asset Skills.
1.1.4 ²	The EA shall notify the Scheme operator of any complaints they have received.

1.1.5*	Where an EA receives a complaint they shall provide the complainant with the relevant complaints procedure, and explain to them that if they are not satisfied with the way that the complaint is handled, how the Scheme complaints procedure can be accessed. The EA shall explain that the complainant's statutory rights are not affected by accessing the complaints procedures.
1.1.6*	Information obtained by the EA shall be confidential where it is not covered by the requirements to provide that information to their Scheme, to the organisation or individual who has commissioned the work, and to other formal requirements associated with the EPBR, including lodging the DEC and Advisory Report on the appropriate Register.
1.1.7*	An EA shall not undertake a DEC and any associated Advisory Report if the nature of the building is such that the EA lacks the competence or knowledge to produce an accurate DEC and any associated Advisory Report for that building.
1.1.8	The EA shall agree to their Scheme sharing information it holds on the EA with other Scheme operators, Green Deal Certification bodies/approved organisations, EPBR devolved administrations, the Department for Business, Energy & Industrial Strategy (BEIS), and the Green Deal Oversight Body regarding paragraphs 1.1.8.1 to 1.1.8.4 below:
1.1.8.1	Disciplinary actions associated with any of: a) A failure to meet the EA Code of Conduct. b) The production of defective DEC's and Advisory Reports. c) A failure to meet CPD requirements. d) Other matters relevant to the Code of Conduct.
1.1.8.2	Complaints against the EA which the Scheme has knowledge of.
1.1.8.3	Competency assessments, including the outcome of any QA checks.
1.1.8.4	The EA's CPD records.
1.1.9*	In the course of their work the EA shall take reasonable steps to ensure their own, and the public's, health and safety. If an EA considers a building, or part of the building, unsafe they shall: a) Record any such instances in their site notes. b) If necessary inform others as part of their duty of care. c) If necessary not continue with the provision of a DEC and any associated Advisory Report.
1.1.10*	The EA shall show their identification to the person who provides access to the building and to the Customer (if different, and if possible).
1.1.11 ²	The EA shall discuss with the person allowing them access to the building: a) What access will be required, and whether this access is possible. b) What photographs will be required, and why they are being taken. c) What the person allowing access to the building should do if they have a complaint about the behaviour of the EA.
1.1.12*	The EA shall lodge all DEC's and Advisory Reports produced in accordance with Scheme requirements.

1.1.13 [*] 1	The EA shall agree to be bound by all Scheme rules, shall follow all Scheme procedures, and will be bound by Scheme disciplinary procedures unless they are overturned on appeal.
1.1.14 ²	The EA shall ensure that records associated with the production of a DEC and Advisory Reports are stored in a safe and secure manner.
1.1.15 [*]	The EA shall ensure that they are covered by an appropriate level of professional indemnity and public liability insurance, and shall not provide a DEC and if required an Advisory Report unless so covered.
1.1.16 [*]	The EA shall not undertake any action that brings the EPBR or the Regulations that implement it into disrepute.

* Denotes the clauses that shall be seen as a 'major transgression' which shall result in the immediate suspension of the EA, pending an investigation from Kaizen Certification Ltd which shall be undertaken in a timely manner.

¹ Denotes that the action is dependent on the nature of the breach being covered by specific EPBR requirements in the SOR outside of the given paragraph.

² Denotes that compelling evidence regarding a breach of the Code of Conduct shall normally result in the 1st, 2nd and 3rd tier actions.

Appendix D - Code of Conduct Requirement (OCDEA)

This section breaks down the scheme Code of Conduct Requirements for OCDEA as stipulated by the relevant EPBR scheme operating requirements (SORs) and Operating Framework.

OCDEA		
SOR Clause	OF Clause	Clause
1.1.1	†	The EA shall sign a Code of Conduct, provided by the Scheme, which includes the requirements in paragraphs 1.1.2 to 1.1.14 below.
1.1.2 [*]	3.2	The EA shall not provide an EPC where there is a conflict of interest in doing so. If an EA is uncertain what constitutes a conflict of interest they shall contact their Scheme to gain clarification.
1.1.3 [*]	†	The EA shall act in a professional manner, as defined by the relevant "National Occupational Standards", available from Asset Skills.
1.1.4 ²	3.2	The EA shall notify the Scheme operator of any complaints they have received.
1.1.5 [*]	†	Where an EA receives a complaint they shall provide the complainant with the relevant complaints procedure, and explain to them that if they are not satisfied with the way that the complaint is handled, how the Scheme complaints procedure can be accessed. The EA shall explain that the complainant's statutory rights are not affected by accessing the complaints procedures.
1.1.6 [*]	†	Information obtained by the EA shall be confidential where it is not covered by the requirements to provide that information to their Scheme, to the organisation or individual who has commissioned the work, and to other formal requirements

		associated with the EPBR, including lodging the EPC on the appropriate Register.
1.1.7*	3.2	An EA shall not undertake an EPC if the nature of the property is such that the EA lacks the competence or knowledge to produce an accurate EPC for that property.
1.1.8*	†	The EA shall agree to their Scheme sharing information it holds on the EA with other Scheme operators, Green Deal Certification bodies/approved organisations, EPBR devolved
		administrations, the Department for Business, Energy & Industrial Strategy (BEIS), and the Green Deal Oversight Body regarding paragraphs 1.1.8.1 to 1.1.8.4 below:
1.1.8.1	3.2	Disciplinary actions associated with any of: a) A failure to meet the EA Code of Conduct. b) The production of defective EPCs. c) A failure to meet CPD requirements. d) Other matters relevant to the Code of Conduct.
1.1.8.2	3.2	Complaints against the EA which the Scheme has knowledge of.
1.1.8.3	†	Competency assessments, including the outcome of any QA checks.
1.1.8.4	†	The EA's CPD records.
1.1.9 *	†	The EA shall lodge all EPCs produced in accordance with Scheme requirements.
1.1.10 ¹	†	The EA shall agree to be bound by all Scheme rules, shall follow all Scheme procedures, and will be bound by Scheme disciplinary procedures unless they are overturned on appeal.
1.1.11 *2	3.2	The EA shall ensure that records associated with the production of an EPC are stored in a safe and secure manner.
1.1.12*	3.2	The EA shall ensure that they are covered by an appropriate level of Professional Indemnity and Public Liability insurance, and shall not provide an EPC unless so covered.
1.1.13*	†	The EA shall not undertake any action that brings the EPBR or the Regulations that implement it into disrepute.

* Denotes the clauses that shall be seen as a 'major transgression' which shall result in the immediate suspension of the EA, pending an investigation from Kaizen Certification Ltd which shall be undertaken in a timely manner.

¹ Denotes that the action is dependent on the nature of the breach being covered by specific EPBR requirements in the SOR outside of the given paragraph.

² Denotes that compelling evidence regarding a breach of the Code of Conduct shall normally result in the 1st, 2nd and 3rd tier actions.

† Whilst not specifically referenced in the Operating Framework, this clause forms part of the Code of Conduct and the scheme operating requirements.