

# NE01-Bacra EPC Assessor Scheme Criteria for Membership

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## 1. Purpose and aim of document

- 1.1 This document has two purposes. These are:
- a) To outline the entry criteria for the Bacra EPC Assessor Scheme ('Scheme'), *and*
  - b) To clarify the requirements for continuing Scheme membership for applicants as of the 1<sup>st</sup> October 2013.
- 1.2 Both 1.1 (a) and 1.1 (b) are in compliance with the *Scottish Government's Operating Framework for Approved Organisations* ('Framework'), details of which can be found on the Scottish Government website.

## 2. Scottish Government Operating Framework for Approved Organisations

- 2.1 Among other things the Framework requires:
- a) Approved Organisations (AO) to define criteria for membership and maintenance of Assessor competence;
  - b) Entry criteria to be based on qualifications recognised by the construction, energy sectors, UK National Occupational Standards (NOS) and/or Accreditation of Prior Experiential Learning (APEL);
  - c) Membership criteria must ensure that those producing Energy Performance Certificates (EPCs) have sufficient skills and knowledge to:
    - certify in accordance with the requirements of the Energy Performance of Buildings (Scotland) Regulations and the Building (Scotland) Regulations as applicable;
    - carry out assessment and calculation in a consistent and accurate manner, and in accordance with the relevant National Calculation Methodology (RdSAP for existing dwellings);
    - identify appropriate energy efficiency measures appropriate to the property being assessed;
    - use calculation software approved for use in Scotland and to understand and be able to explain the correct application of such tools; and
    - carry out their role in a manner which accords with the provisions set out in the relevant UK NOS for Energy Assessors.

### 3. Acceptance for Membership of the Bacra Scheme

- 3.1 Assessors can be in any of the following categories:
- a) assessors employed by and practicing on behalf of fully commercial firms;
  - b) assessors who are employed by and produce EPCs for an employer that is either a local authority or a Registered Social Landlord (RSL) and who also produce EPCs on a commercial basis for their own private clients; or
  - c) assessors employed by a local authority or RSL who only produce EPCs on behalf of their employer.
- 3.2 Once an assessor has been accepted onto the Scheme, they are referred to as 'members'.

### 4. General Criteria and Requirements for Acceptance into the Bacra Scheme

- 4.1 Bacra requires applicants to fully complete the scheme application form (Form NE02) in order to allow Bacra to undertake a rigorous assessment of the competency of the applicant before accepting onto the Scheme.
- 4.2 All applicants to join the Scheme must satisfy Bacra that they are a 'fit and proper person' in accordance with the Bacra Fit and Proper Person Policy, developed in compliance with the Scottish Government's Operating Framework. This includes verifying the identity of the applicant.
- 4.3 Applicants will only be considered for membership of the Scheme after they have provided the relevant signed undertaking, agreement or authorisation included in the application form NE02. (Existing members are to use form AM01.) This includes:
- a) Providing Bacra with details of all previous or existing membership of any other Approved Body.
  - b) Authorising any Approved Body with which the individual holds, or has previously held membership, to provide to Bacra any information that it may request relating to the conduct and history of that membership, including but not limited to:
    - the individual's training and qualifications records;
    - the individual's Continuing Professional Development (CPD) records;
    - results of assessments of the quality of the individual's EPC practice;
    - the details of any complaints made to that organisation relating to the individual;
    - the nature and outcome of any investigations undertaken relating to the practice and behaviour of the individual made by that organisation
    - breaches of codes of conduct;
    - suspensions or removal from the Scottish EPC Register;

- the payment record of the individual in relation to invoices, fees, charges etc. related to the individual's membership of that organisation.
- c) Provide or authorise Bacra to obtain from any relevant party, evidence considered by Bacra to be sufficient and satisfactory for it to be satisfied that the applicant has the necessary knowledge, experience and understanding to be admitted to membership of the Scheme and practice competently as a member of the Scheme within the Scottish context. This will include, for example: evidence of qualifications obtained, CPD records, current and previous job roles and responsibilities, etc.
- d) Confirm that personal details on the application form are complete and correct.
- 4.4 Where appropriate, and prior to being placed on the Scottish EPC Register by the Scheme, an applicant must provide satisfactory evidence and details that they have in place Professional Indemnity Insurance (PII) cover of no less than £50,000 for each claim in relation to any particular EPC produced in respect of a dwelling. From time to time, Bacra may review the level of cover applicants are required to have in place. Bacra may also accept forms of insurance cover other than PII offered by applicants directly employed by a Registered Social Landlord in Scotland or a Scottish local authority and where the applicant has signed an undertaking to produce EPCs only on behalf of that employer. In such cases Bacra will need to be satisfied that the employing organisation has in place appropriate insurance arrangements that cover the practice of the applicant in respect of his or her EPC production.
- 4.5 Bacra will refuse membership to the Scheme on the basis of any evidence (outlined above or otherwise) that it has received which would make it inappropriate to accept the applicant. This might include, for example, evidence of a serious breach of a Code of Conduct as a member of another AO scheme.
- 4.6 Applicants agree to use only the Bacsape software, as approved by the Scottish Government, to lodge EPCs through the Scheme.
- 4.7 To enable Bacra to comply with Scottish Government requirements placed on AOs, acceptance onto the Scheme is dependent on applicants providing Bacra with consent to provide the Scottish Government, other Approved Organisations, or an enforcement authority acting to meet their duty under legislation, with information relating to their membership of the Scheme. This information may include details on suspensions or withdrawals from the Scottish EPC Register or membership of the Bacra Scheme, together with the reason for suspension or withdrawal.

- 4.8 Applicants will need to provide a current Basic Disclosure that is less than three years old. It is recommended that applicants apply for this as soon as is practicable.

## 5. Fees

- 5.1 All applicants must pay the application fee. If accepted onto the Scheme, to continue as a member after the first year, members must also pay the full annual membership fee. These fees are outlined in the Fee Schedule (AM06).

## 6. Criteria for Membership – Training & Registration of Previously Unregistered Assessors

- 6.1 Section 6 of this document applies to all applicants who have not been previously registered under any such scheme, either by an AO in Scotland or an Approved Body in any other part of the UK.
- 6.2 Applicants falling within this group must satisfy the general criteria as set out in Section 4 of this policy.
- 6.3 All Members of the Scheme are required to be “*qualified by their education, training and experience to carry out the preparation and issuing of Energy Performance Certificates*”, as required by the Scottish Framework.
- 6.4 Before acceptance to the programme Bacra needs to be satisfied that an applicant, by virtue of their past or present job role or otherwise, already possesses an appropriate level of awareness and appreciation of house construction, house types, heating systems appropriate to dwellings and legislation concerned with works relating to dwellings in Scotland. Where Bacra is not satisfied in this respect the applicant will not be accepted on to the training and assessment programme
- 6.5 To be accepted on to the Scheme Training and Assessment Programme to produce EPCs, applicants will need to satisfy Bacra that, at the time they apply, they are likely to be able meet the demands of the training programme and likely to be competent to practice on successful completion of that programme. To be considered for membership the application must have:
- a) Attended and completed all parts of the Bacra training programme (If required by Bacra);
  - b) Achieved the required level in the associated assessments; and
  - c) Submitted acceptable sample assessments (the number of these will be determined by Bacra following the training and assessment).
- 6.6 Where the applicant has satisfied the requirements of Sections 6.2-6.5, the applicant will normally be accepted as a member of the Scheme, be authorised to issue EPCs and be covered by the requirements imposed on

existing assessors by the Scheme, statute and regulation at that time and as may be set in the future.

- 6.7 Applicants covered under this section will normally be notified by Bacra of their admission to the Bacra Scheme within 14 days of Bacra completing the assessment of the competent sample of work.

## 7. Criteria for Membership – Transfers from Other Schemes

- 7.1 Section 7 of this policy applies to all applicants who have been previously registered under a scheme operated by an AO in Scotland or any other Approved Body scheme that registers individuals to produce EPCs in any other part of the UK.
- 7.2 Applicants for membership falling within this group must satisfy the general criteria for acceptance onto the Bacra Scheme as set out at Section 4 of this policy and as detailed in the relevant NOS.
- 7.3 All Members of the scheme are required to be “*qualified by their education, training and experience to carry out the preparation and issuing of energy performance certificates*”.
- 7.4 Applicants who apply to transfer to the Bacra Scheme or who left the Bacra Scheme but wish to reactivate their membership of the Scheme, and who have not practised the production of EPCs for a period of longer than twelve calendar months at the time of application, must complete any training or learning that Bacra may require of them prior to being accepted into the Bacra Scheme. The nature of any required training or learning will be assessed by Bacra on a case by case basis.
- 7.5 Bacra will take into account records from previous AO EPC schemes (such as payment records, suspensions etc.), and any reasons for this.

## New Members of the Bacra EPC Scheme – All Categories

- 7.7 Assessors newly placed on the Scottish EPC Register will have their initial EPCs closely monitored. We use our robust training programme and close monitoring of the initial EPCs sample to ensure that Assessors produce good quality EPCs before they are added to the Scottish EPC Register of Assessors.
- 7.8 Assessors newly placed on the Scottish EPC Register must lodge their first EPC with the Scottish EPC Register no later than 56 days from the date that their details are entered on the Scottish EPC Register of Assessors by Bacra. Membership may be withdrawn and no further membership offered if the applicant fails to provide for quality assurance:

- a) a competent sample EPC, associated report and survey field records in a format prescribed by Bacra; and
  - b) within 28 days of first lodging an EPC with the Scottish EPC Register in Scotland.
- 7.9 Once a new members satisfies the requirements of Sections 6.7, the member will revert to the normal Quality Assurance process, and be covered by the requirements imposed on existing assessors by the Bacra Scheme, statute and regulation at that time and as may be set in the future.
- 7.10 Future requirements may, among other things, include an obligation on members to successfully complete further qualifications and/or assessments to remain with Bacra and eligible to issue EPCs under the Bacra Scheme.

## **8. Assessment of Applications for Admission and Appeals**

- 8.1 All other applications to join the Bacra Scheme must be submitted in the form set out by Bacra at the time of application.
- 8.2 All applications will be considered by the Bacra Scheme Manager or by Bacra staff supervised by him or her. It is also likely that applications will be reviewed by other senior Bacra members of staff.
- 8.3 New applicants covered by Section 6 of this policy will normally will receive a decision in respect of acceptance on to the Bacra Scheme training and assessment programme prior to the commencement of that programme. Where the applicant subsequently fulfils all the requirements of Section 5 of this policy as explained at Section 6.8, he or she will normally be notified by Bacra of their admission to the Scheme within 14 working days of Bacra completing the assessment of the competent sample of work.
- 8.4 Applicants covered by Section 6 of this policy will be notified when Bacra is of the view that it has sufficient information to determine the application. Bacra will normally notify the applicant of its decision in respect of admission to the Bacra Scheme no more than 21 days thereafter.
- 8.5 Where Bacra refuses an application covered under either Section 6 or Section 7 of this policy, it shall provide its reasons for doing so in the notification of the decision.
- 8.6 An applicant who has been refused may appeal the decision on the following grounds through the arrangement laid out in the Appeals Policy:
- a) Inaccuracy in facts relied upon to reach that decision; and
  - b) A relevant ground for appeal as allowed for in the Fit and Proper Person Policy.

## 9. Maintaining Membership and Registration to Practice

- 9.1 Section 9 of this policy applies to all members of the Bacra Scheme.
- 9.2 In addition to meeting all scheme entry requirements, to maintain membership of the Scheme and his or her registration on the Scottish EPC Register of Assessors through Bacra as an AO, all members must comply with the following:
- Continuing professional development (CPD);
  - Quality assurance and assessor practice monitoring;
  - Payment of fees to Bacra as their approved organisation;
  - Consent to the sharing of information regarding Bacra Scheme members with others; and
  - Adherence to the code of conduct, fit & proper person, and other such policies.

### 9.3 Continuous Professional Development (CPD)

- a) All members of the Scheme must undertake and keep annual records of CPD activity and make these available to Bacra for inspection and verification within 14 days of a request from Bacra for sight of the records or maintain an online record.
- b) Members of the Scheme must complete 12 hours of CPD activities annually, the majority of which must be relevant to their role as an EPC assessor.
- c) The Scheme may require its members to attend mandatory CPD activities or events, and some of these may require the member to pay for it. Such mandatory activities or events will count towards the requirement of CPD hours relevant to member's role as an EPC assessor. When a Scheme member fails to attend mandatory CPD activities or events within the time limits for attendance communicated to them by Bacra, he or she may be removed from the Scottish EPC Register of Assessors and will be unable to produce EPCs under the Scheme until they have attended the mandatory activity or event.
- d) Detailed guidance on CPD is contained within policy *CPD Guidance (AM05)* and on-going CPD activities must be recorded within the *CPD Record (AM03)*.

#### 9.4 Quality Assurance and Assessor Practice Monitoring

- a) Bacra may take whatever action it deems necessary, or that it may be required to take in accordance with legislation, regulation or under requirements attaching to its approval by the Scottish Government as an Approved Organisation, to verify any of the EPCs generated by assessors and to monitor or investigate the practice standards of any individual assessor or Bacra Scheme assessors generally.
- b) Members of the Bacra Scheme must, in accordance with any timescales communicated by Bacra, comply with any request issued by Bacra to supply it with evidence that it may request in respect of any EPC generated or work undertaken with the intention of producing an EPC. Where a member of the Scheme fails to comply with such a request and within the stipulated timescale, Bacra may immediately remove the assessor from the Scottish EPC Register of Assessors and prevent the assessor from issuing EPCs under the Bacra Scheme.
- c) The Scottish Government requires a regime of independent quality assurance checks on the work of assessors producing EPCs. To comply with this requirement all members of the Bacra Scheme who produce one or more EPCs under the Scheme in a twelve month period will be required to comply with any request from Bacra to submit for quality testing samples of their work and records in connection with the preparation and production of EPCs.
- d) The exact nature, number and timing of samples of work to be provided by any member of the Bacra Scheme in support of quality assurance will be determined at the sole discretion of Bacra and with reference to the need for the Scheme to comply with Scottish Government requirements Approved Organisations in respect of sampling (See reference *REF\_L9: EPC 07 - Guidance on EPC Production for Existing Dwellings Using 'Representative Sampling'*)
- e) In determining if an assessor's work is of an acceptable standard, Bacra will, as a minimum, test to establish the following:
  - The assessor is certifying within their level of declared competence;
  - Sufficient evidence is being recorded by the assessor to allow assessment of the building, including photographs;
  - Information and data recorded by the assessor was entered accurately;
  - There is sufficient information in the definition of the building model file;
  - EPCs generated by the assessor for dwellings are accurate in that they fall within the acceptable limits of variance as laid down by the Scottish Government in respect of Energy Efficiency (EE) and Environmental Impact (EI) ratings when compared to an independent assessment of

the same building using the evidence contained in the assessor's records; and

- Appropriate recommendations for improvements are being provided.

f) Where an EPC is identified as below acceptable standards, Bacra will remove the EPC from the register and the assessor must:

- Issue a replacement EPC within six weeks at their own expense; and
- Comply with any improvement actions required of them by the Bacra Scheme within a defined timescale.

#### **9.5 Payment of Bacra Membership Fees and Monies Falling due to Bacra**

- a) To issue EPCs, a member must ensure that their membership fee & any other outstanding monies are paid in full no later than 14 days from the due date for renewal-
- b) Should the membership fee payment or any invoice or demands for payment raised not be paid within 14 days of the due date for renewal or other agreed time period for payment, membership will be suspended.
- c) Suspension of an assessor's Bacra membership will likely result in the member being temporarily removed from the Scottish EPC Register of Assessors. Where Bacra takes such action, the suspended member will be contacted within two working days to inform them of that action.
- d) Any suspension under Section 2.2.4.2 will not be lifted until Bacra has confirmation that any due monies have been received into the relevant Bacra bank account.
- e) In cases of persistent failure by a Scheme member to pay in time his or her membership or invoices or other demands for payment raised by Bacra, Bacra may permanently end that individual's membership of the Scheme and their registration on the Scottish EPC Register of Assessors under the Bacra Scheme.

**9.6 Consent to the Sharing of Information on Bacra Scheme Members with Others**

- a) To enable Bacra to comply with Scottish Government requirements placed on AOs, continued membership of the Scheme is dependent on applicants providing Bacra with consent to provide the Scottish Government, other AOs or an enforcement authority acting to meet their duty under legislation, with information relating their membership of the Scheme. This information may include details on suspensions or withdrawals from the Scottish EPC Register of Assessors or membership of the Scheme, together with the reason for suspension or withdrawal.

**9.7 Adherence to the Code of Conduct, Fit & Proper Person & other policies**

- a) Membership of Bacra requires adherence at all times to the Bacra Scheme Code of Conduct, which includes being a 'fit and proper person'. Reports of potential breaches of the Code will be investigated and action taken as appropriate and in accordance with the provisions of the Code and disciplinary procedures.

## Appendix A - List of Bacra Policies and Documents

Document Title	Document Code	Document type
Annual Renewal	AM01	Form
Insurance Change	AM02	Form
CPD Record	AM03	Form
Training Course Booking Form	AM04	Form
CPD Guidance	AM05	Policy
Fee Schedule	AM06	Policy
Conflict of interest	AM07	Form
Disciplinary Procedure	AM08	Policy
References (exc Appendix)	AM28	Policy
Code of Conduct	SP01	Policy
Complaints Policy	SP02	Policy

## Appendix B: Glossary of Terms

**Approved Body** – a general term to describe those who have been accredited outwith Scotland to produce Energy Performance Certificates (EPC). In Scotland, the legal terminology is an ‘Approved Organisation’.

**Approved Organisation** – an organisation approved by the Scottish Ministers who have a membership trained and qualified to produce Energy Performance Certificates and Recommendations Reports for buildings. This is defined within The Energy Performance of Building (Scotland) Regulations 2008, as amended, Regulation 8(1).

**Bacra membership** – EPC assessors accepted within the Scheme run by Bacra as an Approved Organisation.

**Bacra Scheme/the Scheme** – the scheme for training, registering, assessing and monitoring the practice of EPC assessors in Scotland managed by Bacra as an Approved Organisation.

**Energy Performance Certificate (EPC)** – A certificate produced by a member of an Approved Organisation which reflects the asset rating of the building using Government approved software which includes recommendation on how to improve the energy efficiency of the property. In order to be a legal document this must be lodged on the approved Government database, in accordance with Regulation 6 of The Energy Performance of Building (Scotland) Regulations 2008, as amended.

**Scottish EPC Register** - the statutory database for the lodgement of EPCs and associated data as well as the listing of EPC Assessors in Scotland.

**Members/Assessors** – Member of the Bacra Scheme identified as having the education, training and expertise required to carry out and issue an EPC.