



# NABERS Accredited Assessor Dispute Resolution Procedure

## 1. Potential Areas for Dispute

The following are examples of, but not a complete list of, some potential areas for dispute:

Customers dissatisfied with:

- the quality or professionalism of the work of the Accredited Assessor,
- the timeliness of the Accredited Assessor,
- the cost charged by an Accredited Assessor,
- the rating result,
- a conflict of interest by the Accredited Assessor,

Accredited Assessor dissatisfied with:

- the information provided from the customer,
- the payment by the customer,
- the timeliness of the customer,
- the results of an audit,
- a ruling by the National Administrator,
- a work procedure or Rule, or

The National Administrator unhappy with any aspect of the Accredited Assessor's work.

## 2. Customer Dispute Resolution

The first step for the customer is to contact the Accredited Assessor to let them know their issues.

If there is no satisfactory resolution within an agreed time period, the customer should contact the National Administrator with a summary of the dispute and measures taken to date to try and resolve the situation.

The National Administrator must act promptly and in the best interests of the NABERS scheme. The National Administrator must be informed of the results of any dispute resolution undertaken by an Accredited Assessor.

### **3. Accredited Assessor Dispute Resolution**

If the issue is with the Assessor's customer, the first step for the Accredited Assessor is to contact the customer directly and let them know their concerns and more importantly, the consequences of the issue. For example, the provision of inaccurate or incomplete data would result in delays in receiving a certificate and possibly additional costs in the assessor's time to gather the data independently. If the accurate data cannot be made available a certificate will not be issued.

If the issue relates to the National Administrator or with NABERS, the first point of contact for the Accredited Assessor should be the National Administrator. If the Accredited Assessor is not satisfied with the results, they may seek clarification directly from the NABERS Steering Committee.

If the issue is a technical matter or interpretation of the Rules, the Accredited Assessor has direct access to the National Administrator through the password protected section of the NABERS Web Site.

If the issue relates to the findings of a NABERS audit, the first point of contact for the Accredited Assessor should be the National Administrator. If the audit recommends that the final star rating be altered, the Accredited Assessor may, subject to the agreement of the National Administrator, and at their own cost, have an additional audit undertaken by an alternative Auditor appointed by the National Administrator.

It is expected that in almost all cases the National Administrator is the final arbitrator. In some cases, it may be that a decision of the National Administrator is questioned. In these cases the dispute should be raised with the NABERS Steering Committee when it next meets. The NABERS Steering Committee is an advisory body to the National Administrator and has representation from the states and territories.

The decision of the NABERS Steering Committee, as handed down via the National Administrator, is final and no further correspondence will be entered into. There is no further NABERS mechanism for appeal, mediation or third-party review apart from that allowed by law.

### **4. National Administrator Dispute Resolution**

If the National Administrator is dissatisfied with any aspect of an Accredited Assessor's work, or is given repeated customer complaints of a similar nature, or

errors found in audits are repeated, their first step is to formally notify the Accredited Assessor of the nature of the complaints and to negotiate a course of action to remedy the situation.

This course of action should detail the Accredited Assessor's steps to identify and then fix the faults and have an agreed and reasonable time frame for rectification.

If the National Administrator is not convinced that the Accredited Assessor is able to rectify the situation or that they are not willing to commit the necessary resources, the National Administrator can then issue a notice to perform tasks to rectify the fault.

If this notice is not complied with, or the original Accredited Assessor's plan to fix the problem is not undertaken in a timely manner, the Assessor's accreditation may be revoked.

This dispute resolution procedure is not intended to limit the rights of individuals or companies under the law.