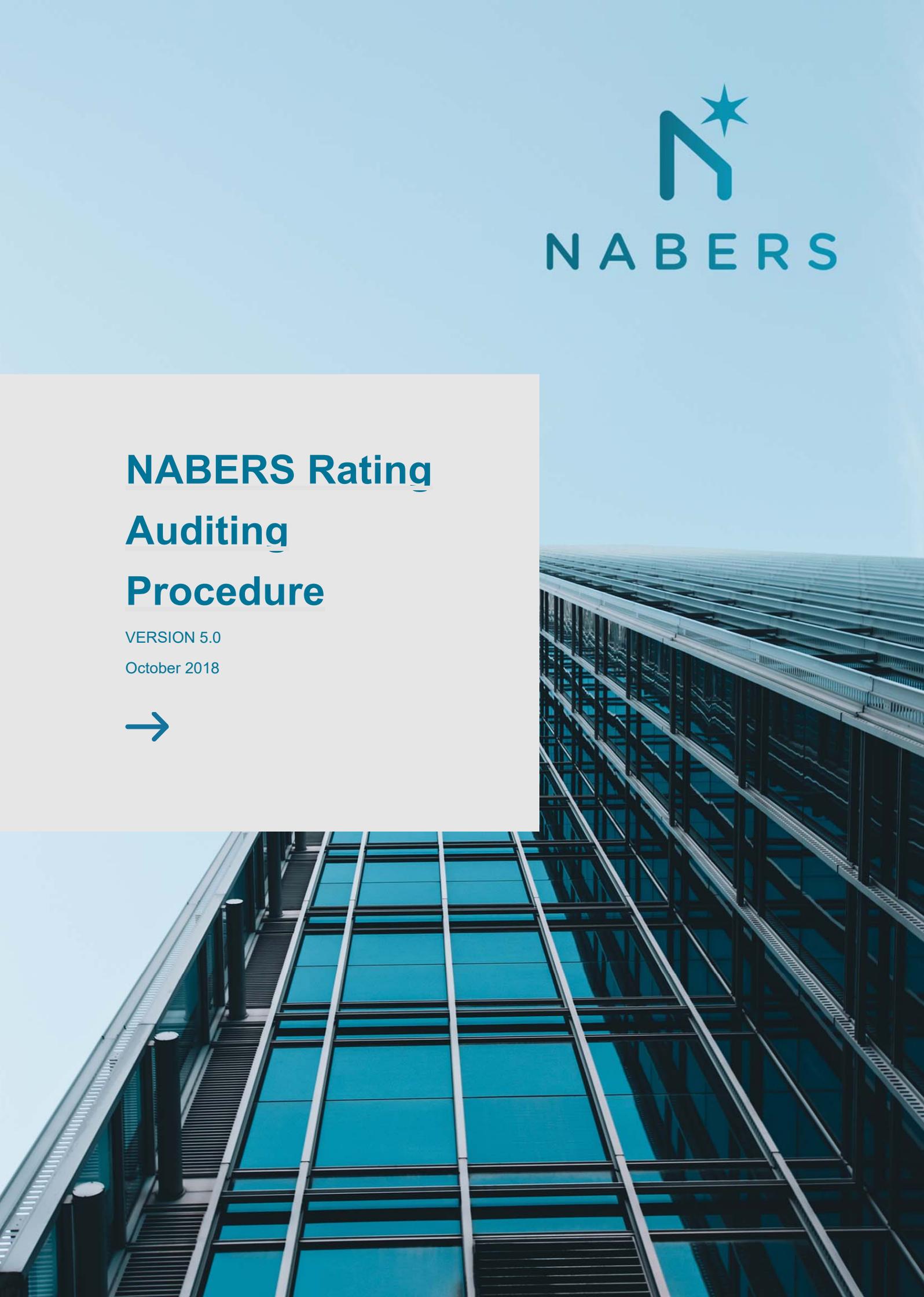




NABERS Rating Auditing Procedure

VERSION 5.0

October 2018





Published by

Office of Environment and Heritage 59
Goulburn Street

PO Box A290

Sydney South NSW 1232

Ph: (02) 9995 5000 (switchboard)

Ph: 131 555 (environment information and publications requests) Fax:
(02) 9995 5999

TTY: 133 677 then ask for 131 555

Speak and Listen users: 1300 555 727 then ask for 131 555

Email: nabers@environment.nsw.gov.au

Website: www.nabers.gov.au

October 2018

© 2018 State of NSW and Office of Environment and Heritage



Table of Contents

- 1. Introduction 3**
 - 1.1 Purpose of the NABERS Rating Auditing Procedure..... 3
 - 1.2 The NABERS Auditing Program 3
 - 1.3 NABERS Rules, Rulings, processes and procedures 3
- 2. Roles and Responsibilities 4**
 - 2.1 National Administrator – NSW Office of Environment and Heritage (OEH)..... 5
 - 2.2 NABERS Auditors 5
 - 2.3 NABERS Accredited Assessors 6
- 3. The NABERS Audit Process 6**
 - 3.1 Selecting NABERS ratings for audit 7
 - 3.2 Assigning an Auditor 8
 - 3.3 Managing conflicts of interest 9
 - 3.4 Timeframes for Supplying information to Auditors 10
 - 3.5 Acceptable information format 11
 - 3.6 Non-supply of information 11
 - 3.7 Voluntary notification of an error 12
- 4. Audit Results 12**
 - 4.1 Auditor’s findings 10
 - 4.2 Assessor’s right of response 15
 - 4.3 Impossibility of an Assessor to collaborate with an Audit 16
 - 4.4 National Administrator’s determination 16
 - 4.5 No determination 19
 - 4.6 Sanctions 19
 - 4.7 Informing other parties of audit results 21
 - 4.8 Complaints 21

1 Introduction

1.1 Purpose of the NABERS Rating Auditing Procedure

The purpose of this document is to clearly describe the process for carrying out Level 2 Audits of NABERS ratings in an impartial manner, and to a consistent technical standard. It is designed to inform affected parties of their roles, responsibilities and what to expect from the Level 2 Audit process.

1.2 The NABERS Auditing Program

The NABERS Program routinely undertakes two types of audit. A Level 1 Audit is conducted on 100 per cent of NABERS rating applications. It is a quality assurance process undertaken by NABERS Technical Officers to ensure that an Assessor has correctly completed the rating form (NABERS Rate), has made no apparent errors in data entry, and has correctly applied the Rules for Collecting and Using Data (the Rules) to the data entered. A Level 1 Audit is required to certify a rating but does not check the accuracy of the data entered or evaluate the Assessor's application of the Rules in collating that data.

A Level 2 Audit is conducted on five per cent of NABERS ratings by NABERS Auditors working with the National Administrator. The Level 2 Audit is a quality assurance peer review process that delivers a complete re-rating of the building using the documentation relied upon by the Assessor in conducting the original rating. It verifies that a NABERS Accredited Assessor has used accurate and documented data, and has complied with the NABERS Rules, Rulings, processes and procedures when undertaking the NABERS rating. A Level 2 Audit ensures that the correct rating result has been determined, and assesses the performance of NABERS Assessors based on their understanding, interpretation and application of the Rules.

1.3 NABERS Rules, Rulings, processes and procedures

The NABERS Rules, Rulings, processes and procedures refer to the key documents that underpin and govern the NABERS Program, which include but are not limited to the:

- NABERS Rules for Collecting and Using Data (the Rules), including all NABERS documents formerly and currently called Validation Protocols;
- published NABERS Rulings (Rulings);
- technical advice provided by the National Administrator;
- NABERS Accredited Assessor Agreement (Contract);

- NABERS Accredited Assessor Code of Practice;
- NABERS Accreditation Procedure;
- NABERS Auditing Policy; and
- NABERS Rating Auditing Procedure (this document).

These documents are amended periodically and are available on the NABERS website at <https://www.nabers.gov.au/about/assessors>.

2 Roles and Responsibilities

2.1 National Administrator – NSW Office of Environment and Heritage (OEH)

The National Administrator is responsible for the overall management of the NABERS Program and the NABERS auditing process. To maintain the robustness, credibility, reliability and integrity of the NABERS Program, the National Administrator audits NABERS ratings to ensure that they are conducted to the highest possible standard.

The National Administrator is responsible for:

- monitoring and auditing the quality of work undertaken by NABERS Accredited Assessors;
- ensuring that the required numbers of Audits are undertaken on certified NABERS ratings in accordance with the NABERS Auditing Policy and the NABERS Rating Auditing Procedure (this document);
- appointing Auditors based on their expertise and excellent knowledge of the NABERS Program, Rules for Collecting and Using Data, Rulings, the NABERS Accredited Assessor Code of Practice, and other relevant process documents;
- supporting the work of the Auditor by ensuring that the Assessor adheres to the requirements of the NABERS Rating Auditing Procedure (this document), NABERS Accredited Assessor Agreement, Code of Practice and other NABERS documents; e.g. providing documents in a timely manner, fully responding to an Auditor's requests for information etc.;
- revising NABERS ratings (star ratings) and updating the NABERS rating register when the results of an audit show that the original rating was incorrect;
- sanctioning Assessors who have breached the Rules for Collecting and Using Data, Rulings, the NABERS Accredited Assessor Code of Practice, or other relevant process and procedure documents; and

- informing all parties to a NABERS rating of any changes to a rating that result from an audit and re-issuing the NABERS rating reports and certificates where applicable.
- Additional responsibilities of the National Administrator are listed in the NABERS Accredited Assessor Code of Practice, and the NABERS Accredited Assessor Agreements.

2.2 NABERS Auditors

NABERS Auditors are selected¹ by the National Administrator based on their expertise and excellent knowledge of the NABERS Program, Rules for Collecting and Using Data, Rulings, the NABERS Accredited Assessor Code of Practice, and other relevant process documents. NABERS Auditors are third party and independent of the National Administrator.

NABERS Auditors are responsible for undertaking audits at the request of the National Administrator in accordance with the NABERS Auditing Policy and the NABERS Rating Auditing Procedure (this document). The Auditor will be expected to complete and submit their initial audit's findings within six weeks.

It is the NABERS Auditor's responsibility to ensure they are very familiar with the current Rules for Collecting and Using Data, Rulings, the NABERS Accredited Assessor Code of Practice, and other relevant process and procedure documents. The Auditor also needs to be familiar with any superseded Rules as ratings are audited against the version of the Rules in place at the time the rating was performed.

NABERS Auditors are to act in an impartial manner and must not undertake an audit where a conflict of interest exists. An Auditor may have their contract with the National Administrator cancelled for failure to declare a conflict of interest. Conflicts of interest include, but are not limited to circumstances which mean that:

- The NABERS Auditor is not capable of exercising objective and impartial judgement in relation to their audit work; and
- A reasonable person, with full knowledge of all relevant facts and circumstances, would conclude that there is a real risk that the NABERS Auditor would not be capable of exercising objective and impartial judgement in relation to their audit work.

For more information on conflicts of interest see Section 3 'Managing conflicts of interest'. NABERS Auditors must comply with the provisions, requirements and timeframes of the NABERS Rating Auditing Procedure (this document), and complete the minimum number of audits specified in their contracts as service providers.

¹ The appointment of NABERS Auditors takes place through an open competitive tender process.

The input data and results from an audit must be treated as confidential by the NABERS Auditor and may only be discussed with the Assessor and National Administrator unless permission from the National Administrator to further distribute is first obtained.

2.3 NABERS Accredited Assessors

The NABERS Accredited Assessor is responsible for ensuring that NABERS ratings they perform comply with the Rules for Collecting and Using Data, Rulings, NABERS Accredited Assessor Code of Practice, and other relevant process and procedure documents; and that assessments are undertaken in accordance with their contractual responsibilities as a NABERS Accredited Assessor.

In accordance with the NABERS Accreditation Procedure, the NABERS Accredited Assessor Code of Practice, and the NABERS Accredited Assessor Agreements (contracts), NABERS Assessors are required to work cooperatively with the National Administrator and the NABERS Auditor to ensure the effective and efficient administration of the NABERS Program. This includes providing upon request and within the specified timeframes, all the documentation and information necessary to enable the Auditor to conduct an audit of their rating assessment. The NABERS Accredited Assessor must work closely with the NABERS Auditor to ensure that the correct interpretation and application of the Rules, Rulings, processes and procedures have been made, and sufficient and compliant documentary evidence is provided.

The NABERS Accredited Assessor² must retain all documentation used to support the NABERS ratings calculations for seven years. Additional responsibilities of the Accredited Assessor are listed in the NABERS Accredited Assessor Code of Practice, the NABERS Accreditation Procedure and the NABERS Accredited Assessor Agreements.

A range of actions and sanctions can be applied to a NABERS Accredited Assessor as a consequence of the result of a Level 2 Audit. All costs associated with sanctions (where applicable), such as Supervised Ratings and retraining will be met by the Accredited Assessor, who is required to abide by any decision or penalty applied by the National Administrator.

² NABERS Assessors (not the companies they work for) are required to retain documentation in accordance with Section 2.9.2 of the Rules.

3 The NABERS Audit Process

The NABERS Audit process is also provided in flow chart form in Figure 1.

3.1 Selecting NABERS ratings for audit

The National Administrator will select ratings for audit at random with a small number of audits allocated through a risk-based selection process. Risk is defined by a number of factors including but not limited to:

- Any circumstance in which a potential conflict of interest held by the Assessor in relation to a NABERS rating has not been declared;
- Collaboration with the Commercial Building Disclosure (CBD) Program Administrator, the Australian Government Department of the Environment and Energy; and
- The identification of errors or potential errors as part of the National Administrator's rating certification processes (Level 1 Audits).

NABERS Assessors may be the subject to more than one Level 2 Audit simultaneously. In such cases the National Administrator may exercise some flexibility (where applicable and within reason) regarding timeframes for the provision of documentation and responses to Auditor's findings as stipulated in this document.

The National Administrator will treat each case of concurrent audits individually and make the appropriate decisions on a case by case basis.

3.2 Assigning an Auditor

The National Administrator will assign the most appropriate Auditor to perform a given audit according to the:

- capacity of Auditors to undertake the audit at the time of selection;
- relevant skills and expertise of Auditors;
- prior allocation of audits between Auditors; and
- potential for any conflict of interest to arise.

Where possible, the National Administrator will endeavour to allocate different Auditors for Assessors who are the subject of multiple audits.

When allocating an audit, the National Administrator will provide the Auditor with all of the information provided by the Assessor when the rating was lodged including but not limited to:

- the name of the Assessor and the Assessor's client;

- all the data and information entered into the rating assessment form (NABERS Rate);
- details of the conflict of interest declaration made by the Assessor;
- all details of any errors or issues found by the Level 1 Auditor at the time the rating was lodged;
- details of any voluntary notification of errors in the rating identified by the Assessor prior to the commencement of the audit (as per Section 3.7 below); and
- any other details the National Administrator deems necessary to ensure the Auditor is able to make an informed decision about whether or not to undertake the audit.

Auditors may decline to undertake an allocated audit. This is most likely to occur in circumstances where a conflict of interest exists, but might occur in other circumstances. Where an Auditor declines an audit, a different Auditor will be allocated to undertake the audit.

NABERS Assessors may request the National Administrator to allocate a different Auditor where a conflict of interest exists. The National Administrator will endeavour to accommodate for such request where reasonable and justified, and will make those decisions on a case-by-case basis.

3.3 Managing conflicts of interest

It is a key principle of the NABERS Auditing Policy that audits are not to be influenced by any conflict of interest. Auditors must suspend their NABERS Accredited Assessor status for the duration of their contract period as Auditors and are required to notify the National Administrator if a conflict of interest has arisen or may arise as part of an audit.

Where a clear conflict of interest exists or could reasonably be perceived to exist, it is incumbent upon the Auditor to declare this conflict and decline the audit. Where a potential or perceived conflict of interest exists and the National Administrator considers that the conflict of interest cannot be managed appropriately, another Auditor will be assigned to undertake the audit. If a conflict of interest becomes apparent after an audit has commenced, Auditors must cease auditing immediately and notify the National Administrator as early in the audit process as possible. The National Administrator will then assess the conflict and determine whether the Auditor can continue the audit or if the audit should be reassigned to another Auditor.

3.4 Timeframes for Supplying information to Auditors

Once the National Administrator commences an audit, the NABERS Assessor who undertook the assessment will be notified and asked to provide all documents, information and evidence necessary to enable the audit to be undertaken, to the

Auditor. Assessors must provide the Auditor with all the information and associated documents that they used to undertake their original rating assessment within 10 business days from the date of notification.

Ideally an Auditor should be able to complete the audit by applying the Rules, Rulings, process and procedures to the documentation provided by the Assessor in the first instance; i.e. the records and notes provided should be of such a standard that the Auditor is able to repeat the rating from only the documents provided.

It may become apparent during the audit process that additional information is required to enable the audit to be completed. In this case, the Auditor or the National Administrator will contact the NABERS Assessor and request that this information be provided within five working days. In cases where the National Administrator considers that an Assessor may have previously deliberately supplied incomplete information, this timeframe may be reduced.

Where documents or information are sent by mail, the date the documents are 'provided' will be the date of processing by Australia Post (the postmark date). Where documents are sent electronically, the date of provision will be the date that the documents are received by the Auditor.

If information is not supplied within the required timeframes, it may constitute a breach of an Assessor's conditions of accreditation. If a NABERS Assessor is unable to meet this timeframe he or she must notify the National Administrator as soon as possible to arrange a time extension.

Applications for an extension should be sent to nabers@environment.nsw.gov.au and detail the:

- information that cannot be supplied in the required timeframe;
- reason for the delay; and
- proposed date by which the information can be supplied.

The National Administrator reserves the right to deny a time extension request. If the requested information is not supplied within the required time frames and no extension of time has been granted, the Assessor will be prevented from processing further NABERS ratings until the audit is complete.

3.5 Acceptable information format

Documentation may be emailed to the Auditor, shared through file hosting services, or physically sent by registered post. NABERS Auditors will indicate Assessors their preferred method to receive documentation at the time of the audit allocation.

3.6 Non-supply of information

The NABERS Rules (Section 2.9) require that all records on which a NABERS rating is based be kept by Assessors for seven years, and that these records be kept to a

sufficient standard to enable an Auditor to accurately repeat the rating using only the documents provided.

If the information required for the audit is not able to be provided by the Assessor, it will be considered a breach of the conditions of Accreditation or a failure to follow the NABERS Rules, Rulings, processes or procedures. Where sufficient documentation cannot be provided to support conclusions reached in the rating application, it will be assumed that the rating was incorrectly calculated.

In order to obtain missing documentation, the National Administrator may require the Assessor to return to site or source that information from the client during the Right of Response period (Section 4.2).

Where the missing documentation cannot be obtained resulting in the impossibility to determine the correct rating, or if the resulting error is too large for the re-rating to be completed, the building may be decertified.

Failure to obtain and/or retain sufficient documentation to justify the inputs and assumptions used in the rating before submitting a rating for certification is a breach of the Rules. These instances will be taken into consideration by the Auditor and the National Administrator when determining the appropriate sanction to Assessors (refer to Section 4.6 of this document).

3.7 Voluntary notification of an error

Where an Assessor becomes aware that they have made an error as part of a NABERS rating they are encouraged to notify the National Administrator. Notifications may be made at any time, including during the initial phase of the audit process.

Voluntary notification of errors will be treated as an error identified as part of the audit. They will be subject to the same investigation and response processes, with the voluntary notification taken into consideration during the process of reviewing the audit findings. The voluntary and proactive nature of the disclosure will be taken into account by the National Administration when determining the appropriate sanction to be imposed.

4 Audit Results

4.1 Auditor's findings

The NABERS Auditor will perform the audit by checking that the NABERS Assessor's documentation and calculations satisfy the Rules, Rulings, processes and procedures that were current at the time the rating was performed. In some cases the Auditor may be required to perform a site visit in order to cross-check the Assessor's documentation and the application of the Rules.

The Auditor has the following fundamental objectives when conducting and reporting an audit:

1. Ensure that the NABERS rating was correctly calculated and provides an accurate representation of the environmental performance of the rated premises; and
2. Identify the level of competency and capacity of the NABERS Assessor who undertook the rating.

The audit findings will clearly identify any part of the calculation of the original rating that deviated from the NABERS Rules, Rulings, processes or procedures and will provide a finding as to whether an error or breach of the Rules has occurred. The possible findings are:

- None or minor errors identified.
The Auditor identifies none or only minor errors in the entry of data and/or the application of the NABERS Rules, Rulings, processes or procedures; and confirms the Assessor's excellent understanding, interpretation and application of the Rules. No rating change takes place under this scenario.
- Moderate errors identified
The Auditor identifies moderate errors in the entry of data and/or the application of the NABERS Rules, Rulings, processes or procedures; and confirms the Assessor's satisfactory understanding, interpretation and application of the Rules. The errors may or may not have caused the NABERS star rating to have changed.
- Significant errors identified
The Auditor identifies significant errors in the entry of data and/or the application of the NABERS Rules, Rulings, processes or procedures. The Auditor also determines the Assessor's poor understanding, interpretation and application of the Rules; as well as lack of thoroughness, attention to detail and diligence when completing the rating. A rating change takes place under this scenario.
- Major and critical behavioural issues
The Auditor identifies major and/or critical behavioural issues from the Assessor that go against the intent and spirit of the Rules, and the NABERS Program as a whole such as:
 - An intentional failure from the Assessor to declare a conflict of interest;
 - Intentional data entry errors or misapplication of the Rules by the Assessor in order to benefit the rating; and

- Assessor acting in a dishonest manner by providing false documentation, or deliberately misleading a party in order to benefit the rating.

There may or may not be a rating change under this scenario.

- Other issues identified
The Auditor has not identified errors in the application of the NABERS Rules, Rulings, processes or procedures, but has identified other issues with how the rating was conducted. Those issues include but are not limited to:
 - Provision of documentation that complicates the recreation of the rating; and
 - Assessor expressing confusion about the way a particular section of the Rules should be applied.

The Auditor will record these findings and submit them to the National Administrator, who will review them together with other information and advice to determine the final audit result and any applicable sanctions. The Auditor's findings alone do not determine the final audit result.

The National Administrator will review the Auditor's findings to ensure that the:

- audit has taken place as required and in accordance with any directions issued by the National Administrator;
- relevant methods and standards of assessment were applied by the Auditor;
- findings of the audit are clear, comprehensible and well justified; and
- Auditor has provided clear advice as to how and where the NABERS Assessor has breached the NABERS Rules, Rulings, processes and procedures.

4.2 Assessor's right of response

Assessors will be notified of the Auditor's findings in writing, and are entitled to provide a formal response where moderate or significant errors are identified as part of the audit. The notification of the findings of the audit and the Assessor's response(s) will be provided in writing, in order to minimise the risk of transcription error or misunderstanding.

The content of a response is a matter for the Assessor. Responses may defend the NABERS Rules, Rulings, processes and procedures applied in the assessment,

provide additional evidence supporting the conclusions of their assessment or accept that an error occurred. Where an Assessor accepts that an error was made, they are encouraged to identify activities they propose to undertake to prevent the reoccurrence of the error in future.

The initial response must be provided to the National Administrator within 10 working days of notification. If an Assessor cannot respond within this time period, they should contact the National Administrator as soon as possible. Extensions may be granted at the discretion of the National Administrator. After receiving the Assessor's right of response, the National Administrator will either make a final determination, or seek additional responses from the Assessor. Additional responses (where applicable) must be provided within five working days of each request. In some cases, the National Administrator may reduce or extend that timeframe. When a final determination is made the National Administrator will endeavour to provide a final audit result within four weeks.

Where no response is received within the time period allowed, it will be assumed that the Assessor has waived their right of response.

4.3 Impossibility of an Assessor to collaborate with an Audit

There may be situations where an Assessor will simply not be in the position to contribute to the completion of an Audit. This could happen for a number of reasons and at any stage within the Audit process. The National Administrator will assess these circumstances on a case by case basis and will conclude an audit in absentia when it is determined that the Assessor will not be able to collaborate to finalise an Audit.

4.4 National Administrator's determination

The National Administrator will review the Auditor's findings along with any advice and information provided by the Assessor during the right of response stage; as well as any other information considered relevant to determine whether or not the NABERS Assessor has correctly and diligently calculated the original rating.

Where the National Administrator does not confirm the Auditor's findings or considers there is insufficient information available to reach a conclusion, they may commission additional investigation as considered appropriate in the circumstances or reach an alternative conclusion. Further investigation may include, but is not limited to:

- requesting additional data or information from relevant parties;
- sending the Assessor or Auditor on site;
- seek advice from additional Auditors; and
- re-performing the audit.

The final determination of a NABERS Audit and applicable sanctions by the National Administrator is final.

None or minor errors identified

Where the National Administrator agrees that none or minor errors existed in data entry and/or the application of the NABERS Rules, Rulings processes or procedures; the audit will be finalised and a notification will be sent to the Assessor.

Moderate or significant errors identified

Where the National Administrator agrees that moderate or significant errors existed in data entry and/or the application of the NABERS Rules, Rulings, processes or procedures; the Assessor will be provided with an opportunity to respond to the findings of the Auditor (Right of Response).

After the Right of Response process is complete, the National Administrator will review all relevant evidence to make a final determination about whether the Assessor made moderate or significant errors in conducting the rating. Relevant evidence includes, but is not limited to:

- The NABERS Rules, Rulings, processes and procedures in force at the time of the assessment;
- The results of the audit and any additional information or opinion provided by the Auditor;
- Any advice obtained from additional NABERS Auditors (where/if applicable);
- Any opinion or advice on the potential errors provided by the NABERS Team;
- Any right of response submission(s) provided by the Assessor;
- The results of any additional investigation; and
- Any other information which the National Administrator considers relevant.

Where the National Administrator determines that there has been a moderate to significant failure to properly apply the NABERS Rules, Rulings, processes or procedures, it must decide whether:

- the error(s) was/were or may have been caused or influenced by a conflict of interest;
- the NABERS rating subject of the audit becomes invalid as a result of the audit findings; and/or
- the Assessor should be subject to any sanction (as prescribed in this document).

Once these matters have been determined, the Assessor and the rating customer (where applicable) will be notified of the outcome of the audit, whether the rating is invalid and whether any sanction has been imposed.

Major and critical behavioural issues identified

Where major and critical behavioural issues occurred during the rating or Auditing process, the Assessor will be provided with an opportunity to respond to the issues identified as part of their right of response.

After the right of response process is complete, the National Administrator will review all relevant evidence to make a final determination about whether the Assessor's behaviour was against the spirit of the Rules, Rulings, processes and procedures, and of the NABERS Program as a whole.

Where the National Administrator determines that there has been a major or critical behavioural issue by the Assessor, the appropriate sanction will be applied in addition to the determination of whether the rating becomes invalid as per the sections above.

Other issue(s) identified

In some cases the Auditor's findings show that the Rules, Rulings, processes and procedures have been properly applied, but another issue with how the rating was conducted is identified. For example, the Auditor may notify the National Administrator that an Assessor's documentation was provided in a form that made recreating the rating difficult, or that the Assessor expressed some confusion about the way a particular section of the Rules should be applied.

This situation may indicate a lack of clarity about the Rules, or a commonly held misunderstanding about the intent of the Rules. Where the Auditor identifies this type of issue, the National Administrator will record the occurrence, and monitor the prevalence of the issue to determine whether the NABERS Rules, Rulings, processes, procedures, training or guidance notes should be improved. In some situations the Assessor may be informed of the issues with a view to improving their rating assessments in the future.

4.5

No determination

Where the National Administrator is unable to reach a determination as to whether or not a failure to properly apply NABERS Rules, Rulings, processes or procedures has occurred they may either commission additional investigation or conclude that no determination is possible and finalise the audit process. In this case, the Assessor is notified of the outcome including (if applicable) the relevant sanction. A conclusion that no determination is possible is neither a finding that an error occurred nor a finding that the assessment was conducted in accordance with the NABERS Rules, Rulings, processes and procedures. Rather it is an acknowledgement that neither outcome can be confirmed. This finding does not invalidate the rating and the Assessor's customer is not informed.

4.6 Sanctions

Responses to the determination that an Assessor has not properly applied the NABERS Rules, Rulings, processes or procedures include issuing a formal warning to the Assessor in relation to the error, or any of the following sanctions:

- Requiring the Assessor to undertake further training, retake the NABERS Accredited Assessor examination, perform NABERS Ratings under supervision, or undergo additional Level 2 Audits;
- Suspending the Assessor's accreditation as a NABERS Assessor pending further training and/or completion of the sanction imposed; and
- Revoking the Assessor's accreditation as a NABERS Assessor.

Sanctions that may be imposed by the National Administrator vary in severity in line with the significance of the errors made and the resulting impact on the NABERS star rating. Multiple sanctions may be applied. E.g. the Assessor may be required to undertake a Supervised Rating and have the following rating (unsupervised) undergo a Level 2 Audit.

Where the severity of the errors found is medium to severe it is possible that the star rating will have to be changed. The National Administrator will apply variations of the sanctions specified in the table above when there is a star rating change on a case by case basis.

The National Administrator reserves the right to revoke a NABERS rating certificate where an audit identifies a need to correct a current NABERS rating. In addition the National Administrator reserves the right to immediately revoke the accreditation of an Accredited Assessor where there has been a breach of the Accredited Assessor Agreement (Contract), Code of Conduct or an intentional breach of the spirit of the Rules and/or the NABERS Program as a whole as explained in sections 4.1 and 4.4 of this document.



Table 1 below gives examples of the sanctions that may be imposed:

Severity	Measure to be taken or Sanction to be imposed	Result required
Low	Outcome Letter.	None.
Medium	Outcome Letter. Notification to customer and CBD (where applicable) that star rating changed.	None.
Medium	Next rating, or a random rating within a specified period of time, to undergo a Level 2 Audit.	Pass.
Medium	Next rating to be a Supervised Rating.	Pass.
Medium	Next rating to be a Supervised Rating and the following rating assessment to undergo a Level 2 Audit.	Pass both.
High	Next two ratings to be Supervised Ratings and the following rating assessment to undergo a Level 2 Audit.	Pass all.
High	Resit NABERS Accredited Assessor Exam and next rating to be a Supervised Rating.	Pass both.
High	Retake NABERS Accredited Assessor Course and Exam and next rating to be supervised.	Pass both.
Severe	Accreditation revoked or suspended. Retraining will be required before reinstatement.	Pass all.
Severe	Accreditation revoked or suspended permanently.	None.

4.7

Informing other parties of audit results

Where an audit identifies a need to correct a current NABERS rating, the National Administrator will notify the NABERS Accredited Assessor, the Assessor’s customer, the Australian Government’s Commercial Building Disclosure Program (where a Building Energy Efficiency Certificate exists for the premises) and any other parties to the rating, and will issue a corrected copy of the NABERS rating certificate and rating report.

When the certification period for a NABERS rating has concluded, it is impractical to revise the rating result. However, the National Administrator may still notify the rating customer to ensure they are aware of this and can consider this information in future ratings.

4.8 Complaints

The National Administrator acknowledges that the audit process can be a complex and difficult process for Assessors, building owners, sub-lessors and other stakeholders. The National Administrator considers the professional performance of audits by its Auditors as critical to the maintenance of the integrity and effective operation of the NABERS Program. The National Administrator also regularly reviews auditing processes and procedures to ensure that the process operates as effectively as possible. If you have any comments or complaints in relation to the operation of an audit or the processes established under this procedure, please contact the NABERS Team at nabers@environment.nsw.gov.au or via phone on (02) 9995-5000 (ask for the NABERS Team).

Contact us

**NABERS is administered by the
NSW Office of Environment and Heritage**

59 Goulburn Street
Sydney NSW 2000

T (02) 9995 5000

E nabers@environment.nsw.gov.au

nabers.gov.au

