

Code of Conduct

October 2020

Purpose

It is a condition of Accreditation under the Assessor Agreement that Assessors must comply with this Code of Conduct. The Department may amend this Code of Conduct from time to time, by changes to <http://www.victorianenergysaver.vic.gov.au/>

Any breach of this Code of Conduct shall be dealt with under the Complaints Policy, and may result in the award of Non-compliance Points, suspension of the Assessor or termination of this Agreement.

Pre-Sale Conduct

The Assessor will:

1. ensure any advertising, promotions and quotations are not misleading or deceptive;
2. not represent themselves as acting on behalf of the Department or the State of Victoria;
3. comply with the rules relating to the Do Not Call register administered by the Australian Communications and Media Authority (ACMA);
4. not deal or otherwise conduct business with suppliers or third parties who do not comply with the Do Not Call register rules;
5. respect Do Not Knock signs or other signs requesting door to door salesperson not to contact the householders;
6. give any potential customers an 'Information Sheet' containing the text set out in Annexure 1 of this Code of Conduct and explain what products and services that they are associated with and that there is no obligation to purchase these products or services;
7. comply with all consumer legislative requirements including those governing door to door sales, in particular:
 - a) tell any potential Customers of the reason why the Assessor is visiting;
 - b) show photo identification upon request;
 - c) leave immediately if asked to do so by the Customer or other resident;
 - d) provide the Assessor's contact details; and
 - e) not visit outside the permitted selling hours unless otherwise agreed with the Customer;
8. provide any Customer with a quotation of the total price of the service before entering a contract with the Customer;
9. not be involved or otherwise participate in any unethical behaviour or business practices;
10. immediately disclose to any Customer any potential conflict of interest;
11. avoid any high-pressure sales tactics that, including any intended to induce Customers to sign a sales agreement for the purchase of goods or services aimed to increase the energy performance of the household;
12. provide the Customer with a written copy of the sales agreement (or the quote and acceptance, as the case may be) which shall contain clear and concise terms of business, as soon as it is signed; and
13. ensure that they honor in full all the terms of the sales agreement, unless terminated or amended by mutual consent of the contracting parties.

General Conduct

The Assessor shall:

1. not assist or allow any third party including an Intermediary to access or use the Scorecard Tool;
2. not disclose the log-in details of the Assessor for the Scorecard Tool to any other person;
3. exercise due skill, care and diligence in the performance of their duties;
4. perform all work in a competent manner and to a professional standard;
5. comply with Assessor and Software Manuals and technical advice of the Department;
6. work in a safe manner and comply with all applicable Occupational Health and Safety requirements;
7. not engage in any rude, offensive or discriminatory behavior;
8. not recommend a product if the Assessor knows or ought reasonably to know that the product is unsuitable for the Customer;
9. act on their own behalf and not represent themselves as acting on behalf of another individual or organisation without authority;
10. act promptly, fairly, and honestly with all available information and work to the standard reasonably expected by a practitioner in the industry;
11. not accept any undisclosed fee or commission from any person other than the Customer in relation to the Scorecard Tool;
12. only receive a fee for providing a rating certificate regardless of the final rating. A bonus of any kind, or commission based on the number of stars achieved is strictly prohibited;
13. comply with the *Privacy and Data Protection Act 2014 (Vic)* and the Information Privacy Principles;
14. not enter any data into the Scorecard Tool unless the Customer has signed the Privacy consent in the Information Statement; and
15. not collect, use or disclose any personal information of a Customer unless the Customer has signed the Privacy consent in the Information Statement.

Post Assessment

The Assessor shall:

1. demonstrate the highest possible ethical standards, and avoid high-pressure sales techniques that induce customers to make hasty or uninformed decisions about any products or technologies they are selecting to purchase from the Assessor or any third party;
2. not revisit the Customer's premises uninvited intending to pressure the Customer;
3. not make frequent phone calls to try and sell additional services or products; and
4. comply with all applicable laws and regulations (including the Australian Consumer Law contained in Schedule 2 of the *Competition and Consumer Act 2010 (Cth)* and the *Spam Act 2003 (Cth)* in relation to the use and disclosure of the customers' personal information).
5. be available to answer and respond to any queries that may arise from a Customer, the Department or any appointed auditor, consistent with the purpose of conducting and evaluating energy performances under this Agreement.