

CODE OF CONDUCT

It is our intention as practicing HI / NDEAs to carry out all work in accordance with the Code of Conduct shown below.

1. Introduction

- 1.1. This document is the Code of Practice ('the Code') for Home Inspectors / NDEAs.
- 1.2. The Code sets out the principles that must be followed and applied by all Home Inspectors / NDEAs.
- 1.3. The Code forms part of a wider package of registration and disciplinary information with which Home Inspectors / NDEA must comply.

2. Purpose

- 2.1. The purpose of this Code is to set out the rules and standards of conduct that are expected of Home Inspectors / NDEA and to inform members of the public about the standards of conduct that they can expect from a Home Inspector / NDEA.
- 2.2. This Code aims to promote:
 - 2.2.1. the best standards of practice by Home Inspectors / NDEA; and
 - 2.2.2. confidence in the integrity of the Certification Scheme, Home Inspectors / NDEAs and the Home Condition Report.

3. Application

- 3.1. Home Inspectors / NDEAs must ensure that they understand and comply with this Code and any accompanying guidance.
- 3.2. A failure to comply with the Standards set out in the Code or guidance will generally lead to disciplinary action being taken against a Home Inspector / NDEA by their Certification Scheme.

4. Personal and Professional Standards

- 4.1. Home Inspectors / NDEAs must at all times (whether inside or outside work):
 - 4.1.1. Act with integrity;
 - 4.1.2. Be honest and trustworthy;
 - 4.1.3. Be open and transparent in their dealings;
 - 4.1.4. Disclose to the Certification Scheme any or all of the following matters:
 - 4.1.4.1. That they have been charged or convicted of a criminal offence in the UK or elsewhere;
 - 4.1.4.2. That they have been referred for a disciplinary hearing by another Certification Scheme, professional body trade association or regulatory body, or other similar organisation;
 - 4.1.4.3. That a disciplinary allegation has been found proved against them by another Certification Scheme, professional body trade association or regulatory body, or other similar organisation;
 - 4.1.4.4. The institution against them of bankruptcy or directors' disqualification order;

- 4.1.4.5. The making of a bankruptcy or directors' disqualification proceeding;
or
 - 4.1.4.6. If they enter into an individual voluntary arrangement with creditors;
 - 4.1.5. Assist the Certification Scheme in any disciplinary inquiry involving another Home Inspector / NDEA;
 - 4.1.6. Recognise the limits of their professional competence;
 - 4.1.7. Keep their professional knowledge and skills up to date;
 - 4.1.8. Avoid abusing their position as a Home Inspector / NDEA; and
 - 4.1.9. Comply with the requirements of the Certification Schemes of which they are a member and their governing legislation.
- 4.2. A Home Inspector / NDEAs must not engage in conduct that:
- 4.2.1. Damages the reputation of Home Inspectors / NDEAs;
 - 4.2.2. Diminishes public confidence in the Certification Scheme, Home Inspectors / NDEA or the Home Condition Report; or
 - 4.2.2.1. Damages the trust placed in Home Inspectors / NDEA by lenders and other professionals who may need to rely upon their work.
 - 4.2.3. A Home Inspector / NDEA must not exploit the vulnerability of consumers or take advantage of their lack of knowledge of the home buying and selling process.

5. Skills, ability and personal development

- 5.1. Home Inspectors / NDEA must:
- 5.1.1. Only act if competent to do so;
 - 5.1.2. Carry out their work with reasonable skill and care;
 - 5.1.3. Maintain their professional knowledge and skill by participating in lifelong learning and recording the outcomes;
 - 5.1.4. Observe and keep up to date with laws and statutory codes of practice that affect their work.
 - 5.1.5. Update the professional knowledge and skills through structured and regular lifelong learning activities.
 - 5.1.6. The HI / NDEA must carry out a minimum of 20 hours per year lifelong learning in accordance with the Certification Scheme standards.
 - 5.1.6.1. Of the 20 hours per year lifelong learning 70% must be of a technical nature and 30% of a business and professional nature.

6. Conflicts of interest

- 6.1. A Home Inspector / NDEA must at all times give an unbiased opinion.
- 6.2. A Home Inspector / NDEA must not give or accept any inducement, gift or hospitality that may affect or may be seen to affect their judgement.
- 6.3. A Home Inspector / NDEA must be satisfied that the seller is being or has been provided with written information concerning whether the Home Inspector / NDEA has any personal or business relationship with any person involved in the sale of the property and that the seller will sign or has signed a declaration that they understand the implications of the information.
- 6.4. A Home Inspector must not prepare a Home Condition Report if to do so would cause a conflict with the interests of sellers.

- 6.5. If, in the course of preparing a Home Condition Report, a conflict with the interests of the seller or other professionals arises, the Home Inspector must return the instructions to prepare the Report.
- 6.6. If a risk of conflict arises, it must be managed in accordance with any guidance issued by the Certification Schemes.

7. Advertising

- 7.1. Home Inspectors / NDEAs may only promote and advertise their services in a clear, honest and lawful manner.
- 7.2. Any advertisement placed by a Home Inspector / NDEA must comply with scheme, statutory and national standards to ensure that all advertisements are legal, honest and truthful and that they are clearly identifiable as an advertisement.

8. Marketing

- 8.1. Home Inspectors / NDEAs must operate under fair and honest sales practices.
- 8.2. Home Inspectors / NDEAs must not:
 - 8.2.1. Engage in any commercial practices that are misleading or likely to mislead buyers, sellers or lenders;
 - 8.2.2. Use physical force, harassment, coercion or undue influence;
 - 8.2.3. Be party to charging fees that are discriminatory or excessive;
 - 8.2.4. Exploit the trust vulnerability or lack of experience of buyers, sellers or lenders; or
 - 8.2.5. Encourage or condone unsafe or harmful practices.
- 8.3. If Home Inspectors / NDEA offer sellers or buyers other services and/or products, they must:
 - 8.3.1. Act lawfully and responsibly in sending sellers or buyers details of those services and/or products; and
 - 8.3.2. Declare any financial benefit that they may receive as a result of sellers or buyers using those services and/or products.

9. Information for the seller

- 9.1. A Home Inspector's / NDEAs offer, to sellers to perform services whether direct or through a third party, must be clear and truthful and contain all relevant pre-contractual information.
- 9.2. When offering to provide a service to produce a Home Condition Report or Energy Certificate, Home Inspectors / NDEA must be satisfied that sellers are provided with details in writing of:
 - 9.2.1. The terms, conditions and costs associated with instructing the Home Inspector / NDEA;
 - 9.2.2. The key features of the Home Condition Report; their right to see any personal records Home Inspectors hold about them what use that may be made of the data collected by Home Inspectors / NDEA
 - 9.2.3. The fee for the work, including any tax and duties;
 - 9.2.4. How and when the Home Condition Report will be delivered;
 - 9.2.4.1. How the information contained in the HCR will be conveyed to the seller;

- 9.2.4.2. Arrangements for further detailed explanation of the HCR findings at the sellers request.
- 9.2.5. The existence and conditions of a right of withdrawal;
- 9.2.6. The policy and procedure for cancellation of services and the payment of refunds;
- 9.2.7. The complaint, redress and appeals procedures; and a reference to this Code.
- 9.2.8. The HI / NDEA will comply with the auditing and monitoring requirements of the Certification Scheme.

10. Confidentiality

- 10.1. Home Inspectors must explain to sellers that information about the completion of the Home Condition Report has to be placed on the Register of Home Condition Reports.
- 10.2. Home Inspectors / NDEAs must treat all sellers' personal information as private and confidential (even when they are no longer a customer of the Home Inspector).
- 10.3. 10.3 Home Inspectors / NDEAs must not reveal any personal information about sellers unless:
 - 10.3.1. The sellers have given permission for the information to be revealed;
 - 10.3.2. The Home Inspector / NDEA has to reveal the information by law; or
 - 10.3.3. There is a 'common law' duty to the public to reveal the information.
- 10.4. Home Inspectors / NDEAs must notify sellers that their contact details may be used during the process for monitoring the compliance and performance of Home Inspectors.
- 10.5. Home Inspectors / NDEAs will hold and store all client information in accordance with the Data Protection Act.

11. Diversity

- 11.1. Home Inspectors / NDEAs must not unlawfully or unjustifiably discriminate against any individual in their practice as Home Inspectors / NDEAs.
- 11.2. Home Inspectors / NDEA must not discriminate against any individual on the basis of gender, race or disability or allow their views of the lifestyle, culture, belief, colour, gender, sexuality or age of others to prejudice their professional practice and relationships.

12. Insurance

- 12.1. Home Inspectors must ensure that all Home Condition Reports undertaken by them are covered by adequate and appropriate indemnity insurance cover, as prescribed in the insurance standards adopted by Certification Schemes.

13. Complaints procedure

- 13.1. Home Inspectors / NDEAs must participate in a complaints handling system as prescribed by the Certification / Accreditation Scheme Home Inspectors / NDEAs must ensure that:
 - 13.1.1. Complaints are initially acknowledged in writing, and the acknowledgement sets out a likely timescale for resolving the complaint;

- 13.1.2. There is a named individual who is responsible for complaints and who has the authority to resolve complaints, if appropriate; and
- 13.1.3. Complainants are informed that if they want to take their complaint further, the complaint can be referred to a Certification Scheme complaints handling process.

14. Compliance with Legislation

- 14.1. Home Inspectors / NDEA will carry out their work in compliance with all current legislation.
- 14.2. Home Inspectors will comply with all officially published guidance in undertaking a HCR.

15. Compliance with Health & Safety Legislation

- 15.1. The Home Inspector / NDEA will carry out their work in compliance with the Health & Safety at Work Act 1974 and any other Health & Safety legislation that may be relevant to their business.
 - 15.1.1. In accordance with the Act, all Health & Safety issues must be reported to the 'responsible person'.
 - 15.1.2. Where the Home Inspector / NDEA is deemed to be the 'responsible person' the HI must discharge their duties diligently in accordance with the legislation.
 - 15.1.3. If the HI / NDEA is not acting in the capacity of 'responsible person' the HI must report any H & S issues to the named 'responsible person' The responsible person will be responsible for the implementation of appropriate emergency procedures within the workplace and ensure that all other persons required to know of those procedures receive adequate and effective training.

16. Compliance with Security of Information Legislation

- 16.1. The Home Inspector / NDEA will carry out their work in compliance with the Data Protection Act 1998.
 - 16.1.1. In accordance with the Act all data protection issues must be reported to the 'responsible person'
 - 16.1.2. Where the HI / NDEA is deemed to be the 'responsible person' they must discharge their duties diligently in accordance with the legislation.
 - 16.1.3. If the HI is not acting in the capacity of 'responsible person' the HI must pass on any relevant information to the named 'responsible person'

17. Limitations

- 17.1. Should the Home Inspector / NDEA identify circumstances that prevent the assessment or preparation of the HCR due to any statutory or voluntary limitation infringements, conflicts of interest or any other reason that prevent the HI from preparation of the HCR; The client must be informed immediately in writing, giving a clear explanation of the reason.

18. Identification

- 18.1. As a practicing HI, is necessary for you to formally identify yourself to the client, The sample shown below illustrates what will be shown to clients, it will carry a photograph, a sample signature, details of the certification scheme and the company details.



As a practicing Commercial energy assessor (NDEA) the following identification will be used.



19. Publicity

- 19.1. Home Inspectors / NDEA must make this Code available to a member of the public upon request.

20. Consumer Protection

- 20.1. The Home Inspector / NDEA must act in an open and transparent way in dealing with the public.