



TRUSTMARK
Government Endorsed Quality



Framework Operating Requirements

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02

Foreword

Simon Ayers
Chief Executive Officer

Since inception in 2005 TrustMark has been instrumental, along with our Scheme Providers, in enhancing levels of consumer protection in a number of industry sectors.

As a result of the Government commissioned Each Home Counts Review the TrustMark remit has been expanded to deliver the quality mark for the Retro-Fit, Repair, Maintenance and Improvement (RMI) and energy efficiency sectors; covering any work a consumer chooses to have carried out in their home.

This Framework Operating Requirements document defines the relationship between TrustMark and our Scheme Providers. This helps to identify and clarify the obligations, responsibilities and activities required of both parties to ensure we meet this new challenge, which we believe marks an opportunity to create far-reaching and positive change for both consumers and the businesses that they engage with.

The TrustMark scheme was established in conjunction with Government, industry and Consumer protection bodies, and was appointed a Master Licence by the Department for Business, Innovation and Skills now the Department for Business, Energy and Industrial Strategy (BEIS) in 2005.

TrustMark engages with Scheme Providers through a sub-licence agreement. Scheme Providers make a commitment to work to the TrustMark Framework Operating Requirements and their Registered Businesses commit to the Code of Conduct and Customer Charter, as well as the codes of practice relevant to their industry.

The Each Home Counts Review, the findings of which were published in December 2016, identified the need for an all-encompassing mark of quality for consumers to recognise and rely upon – regardless of the type of work they are having carried out in their home.

Subsequently it was decided that TrustMark will bring into effect this quality mark.

Following considerable engagement with Government, industry stakeholders and consumer protection groups, the following Framework Operating Requirements document outlines how Scheme Providers will work with TrustMark to deliver the most robust level of quality and protection to consumers, working towards ever-improving standards in all sectors.

03

Our Vision

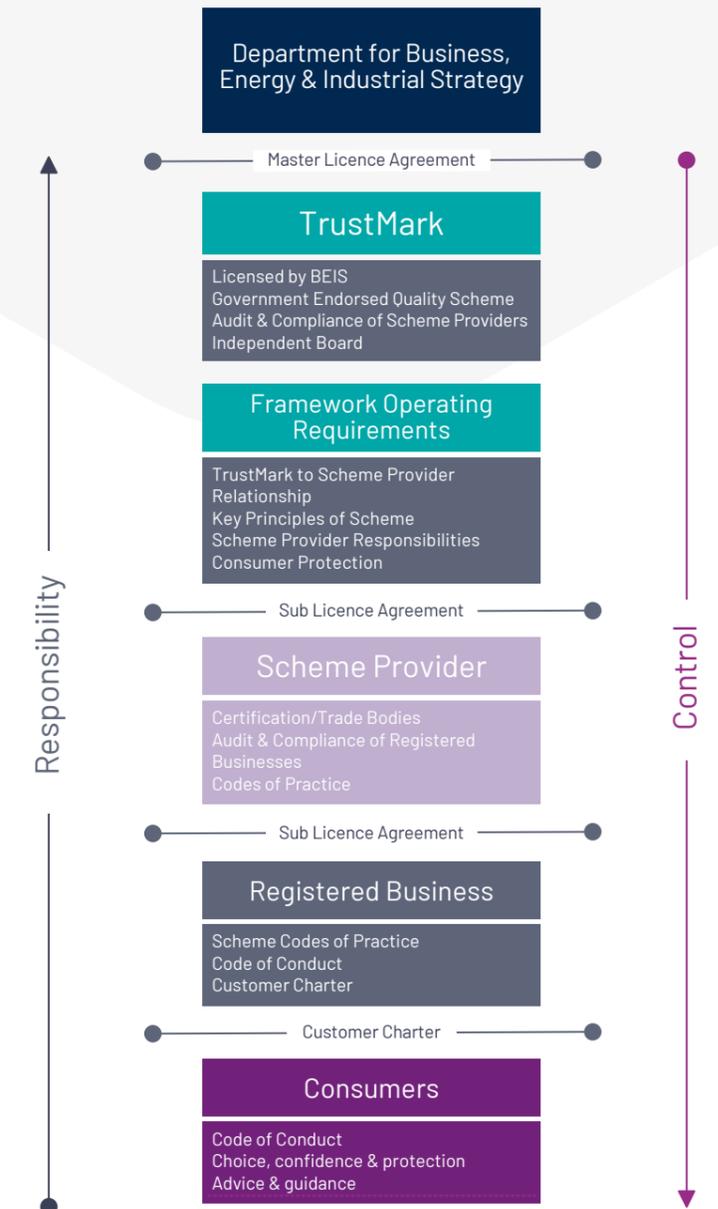
TrustMark exists to enhance consumer protection and choice, providing peace of mind and confidence that when using a TrustMark Registered Business, consumers are selecting a firm that has made a clear commitment to customer service and good trading practices, and that the technical competence of their work has been independently checked.

Simultaneously TrustMark aims to enable Registered Businesses to thrive by championing them on the TrustMark website and other marketing channels, and by actively connecting them with consumers seeking services in their area.

Use of the TrustMark logo allows Registered Businesses to identify themselves to customers and potential customers as part of the Government Endorsed Quality Scheme, as well as availing themselves of the additional reputational benefits and marketing opportunities.

Structure

To ensure the TrustMark process is transparent and robust, it must be validated with accreditation, certification and compliance audit, as appropriate.



How this will work in practice:

Scheme Providers who must be UKAS accredited to enable them to provide certification services to their Registered Businesses will continue to be accredited under the BS EN ISO / IEC 17065.

Scheme Providers such as trade bodies who have no requirement to offer certification services within the UKAS model will be required to operate a quality management system that is compliant with ISO9001.

The Framework has been comprehensively reviewed to examine intersections with equivalent ISO standards, and where appropriate, guidance has been provided to address gaps identified. This analysis was conducted as it was of critical importance that the Framework should not create additional layers of process and procedure above those already established and embedded within the RMI, Energy Efficiency and Retro-Fit industries.

Within the Scheme Provider requirements, a key has been established to identify statements that are already found contained within:

- Competent Person Scheme – Conditions of Authorisation (CoA)
- ISO/IEC 17065:2012 Conformity assessment – Requirements for bodies certifying products, processes and services
- PAS 2031:2017 – Certification of energy efficiency measure (EEM) installation in existing buildings

How the Framework is presented:

The following sections each contain:

- Key Principles and
- Scheme Provider Requirements

In the Scheme Provider Requirements section, on the far-right hand side of the page there are references to indicate where other recognised existing standards and/or requirements may already meet the requirements of the Framework.

For example:

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| 4.3.1 | Ensure adequate resources are in place and available to deliver the service; including: management, administrative, marketing, digital and technical skills. Submit and maintain an organisation chart and resource plan; detailing roles, responsibilities and skills required to deliver the services. | ISO17065
[5.1.3k & 6.1.2] |
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This is designed to create a clear pathway to compliance for all Scheme Providers, ensuring a level playing field that delivers robust consumer protection, whilst offering flexibility and a common-sense approach that avoids unnecessary duplication of regulatory requirements.

04

Scheme Provider Application & Registration

4.1 The key principles of the Scheme Provider application and registration process are to:

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| 4.1.1 | Use effective, open and fair processes for assessing and approving Scheme Providers. |
| 4.1.2 | Ensure Scheme Providers can fulfil the requirements and expectations of the role; improving standards and reducing consumer detriment. |
| 4.1.3 | Attract high calibre Scheme Providers, who meet TrustMark standards and are a 'force for good' in the industry. |
| 4.1.4 | Ensure customers have confidence in Registered Businesses and Scheme Providers, who demonstrate a robust, compliant Quality Management System, raising standards and avoiding conflicts of interest. |
| 4.1.5 | Ensure consumers and Registered Businesses are confident that TrustMark requirements are set at a high standard and will be enforced effectively, consistently, fairly and impartially. |
| 4.1.6 | Clearly set out the sanctions, processes and procedures that will be used when TrustMark requirements are not met. |

Scheme Providers will be required to meet the following:

4.2 Organisational information

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| 4.2.1 | Provide TrustMark with all requested information about its organisation, vision and aims to complete the application and registration process. |
| 4.2.2 | Supply appropriate and relevant evidence to support all statements made on the application form. Where the Scheme Provider wishes to achieve or introduce specific standards or processes, additional statements of intent can be supplied. |
| 4.2.3 | It is a minimum mandatory requirement that where the scope of registration is included within Government authorised or licenced schemes, applicants shall be registered on those schemes and notify TrustMark of any changes to these circumstances. |
| 4.2.4 | Demonstrate commitment to raising standards within the industry by actively participating in Standards Groups relating to technical competence; quality of workmanship; service and customer care; and, to tackling areas of consumer detriment and undesirable trading practices. |
| 4.2.5 | Exhibit sufficient financial strength to meet TrustMark's objectives; providing evidence of financial probity through submission of recently audited annual public accounts at application; and, ongoing via annual compliance audits. |

4.2.6	Submit and maintain a business plan for their operation and management of the scheme. The plan must be reviewed at least annually and updated to reflect any changes to operations as necessary.	ISO17065 [8.2.1]
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4.3 Organisational capability and capacity

4.3.1	Ensure adequate resources are in place and available to deliver the service; including: management, administrative, marketing, digital and technical skills. Submit and maintain an organisation chart and resource plan; detailing roles, responsibilities and skills required to deliver the services.	ISO17065 [5.1.3k & 6.1.2]
4.3.2	Ensure competence of individuals who will undertake inspections and audit activities. Submit and maintain records of competence, and qualification where appropriate and make available for audit reviews on request.	
4.3.3	Show that staff members are appropriately trained and understand the obligations and requirements of the Framework, as relevant to their role. Individual training and development records are kept and maintained for inspection annually.	ISO17065 [6.1.21b & 6.1.2.2d]
4.3.4	Demonstrate that the organisation has transparent and accountable recruitment and selection processes that ensures people working in the organisation possess the knowledge, skills and experience required to fulfil their roles.	
4.3.5	Implement and maintain a quality management system. Options permitted within the scheme are: <ul style="list-style-type: none"> a) Accredited by UKAS to the current version of ISO17065 for the scope offered b) Compliant with the current version of ISO9001 for the scope offered c) Alternatively, operate a documented Quality Management System and have achieved one of the above standards within 2 years of initial approval as a Scheme Provider 	ISO17065 ISO9001

4.4 Service delivery

4.4.1	Maintain an up-to-date register of scheme members and provide TrustMark with regular updates; specifically, where there has been new, lapsed, suspended or expelled members, within 10-days of any change.	ISO17065 [7.8] COA 15
4.4.2	Act honestly and fairly and must not knowingly impact and/or bring the TrustMark scheme into disrepute.	ISO17065 [A1.1, A4.3 & 5.2]
4.4.3	Demonstrate how that the scheme will be managed impartially; avoiding conflicts of interest in vetting, monitoring, dispute handling and sanctions applied.	

4.4.4	Operate a robust and consistent method for managing registrations and data of businesses wishing to register with the TrustMark scheme. Including processes and procedures for: <ul style="list-style-type: none"> a) application and registration b) registration data management c) extending or reducing scope of registered trade activities d) suspension and sanctions e) withdrawal of registration by the business f) complaints and appeals g) removal from the register h) All procedures are documented and reviewed regularly 	ISO17065 [5.2]
4.4.5	Proactively identify Registered Businesses that may require review, investigation or action using information from performance monitoring processes, disputes and other sources, including consumers and other third parties.	ISO17065 [7.4, 7.5 & 7.9]
4.4.6	Ensure that all audits and inspections completed on Registered Businesses are independent of the registration approval activities and are only undertaken by individuals with suitable levels of technical expertise.	
4.4.7	Publish a Complaints and Appeals Process, which must include time limits for remedial action and be open to receiving disputes from all customer groups.	ISO17065 [4.6]
4.4.8	Ensure any decisions regarding sanctions are carried out by a person or group of persons (e.g. a committee) that have not been involved in the process for investigation, audit or evaluation of the Registered Business; avoiding conflict of interest.	
4.4.9	Where the Scheme Provider is not a Certification Body (ISO17065 certified), for example, a Trade Association, sanctions and appeals decisions must be made by a suitable individual who is independent from the Registered Business.	ISO17065 [4.2.1, 4.2.6, 4.2.7, 4.2.8, 4.2.10, 4.2.12, 6, 7.3, 7.4, 7.5, 7.6, 7.10 & 7.11]

4.5 Governance & reporting

4.5.1	Maintain detailed records of registrations, monitoring reports, sanctions and other required information relating to the Registered Business. Records will be held for a minimum of 7years after a Registered Business leaves the scheme, in line with relevant legislative requirements or consumer protection policies.	ISO17065 [7.12 & 8.4.2]
4.5.2	Comply with all requirements of the General Data Protection Regulation (GDPR) and all other current legislation and regulations regarding data protection, data security and privacy.	
4.5.3	Details of disputes may be disclosed to third parties, including Technical Monitoring Agents and Certification Bodies, in line with GDPR.	

4.5.4	Reserve the right to share or publicise information on businesses removed from the register; including making these known to TrustMark, other Scheme Providers and local Trading Standards Services, where appropriate and necessary.	CoA clause 14
4.5.5	Deliver data to TrustMark for the Framework to carry out its oversight functions, as and when required. This data shall be in the format specified by TrustMark and include: <ul style="list-style-type: none"> a) Number and detail of Businesses currently registered with TrustMark b) Businesses applied vs accepted to the scheme c) Number of formal disputes d) Detail of Businesses involved in sanctions, including, the cause of issue suspensions and removals e) Number and type of measures audited by business including outcomes of audit f) Provide any other data as requested for performance management use 	CoA clause 20
4.5.6	In the interest of transparency, specify to TrustMark how review panels are constructed i.e. for the purpose of reviewing disputes.	
4.5.7	Ensure prompt payment of all fees in compliance with sub-licence agreement.	
4.5.8	In line with current Data Protection requirements, record and keep on file details of any sanctions or other information relating to the Registered Business for a minimum of no. of years and/or legislative requirements or consumer protect policies, after a Registered Business leaves the scheme.	
4.5.9	When handling a dispute, the Scheme Provider will, where permitted by GDPR and where authorised to share data either by the complainant or the defendant disclose details to third parties including Technical Monitoring Agents & Certification Bodies.	ISO17065 [7.12 & 8.4.2]

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Standards & Competency

5.1 The key principles of standards & competency are to:

- 5.1.1 Maintain a consistent delivery of the Framework Requirements by all Scheme Providers; and the Code of Conduct and Customer Charter by Registered Businesses and sub-contractors.
- 5.1.2 Safeguard that all Scheme Providers, Registered Businesses and sub-contractors commit to working to their applicable Codes of Practice.
- 5.1.3 Develop ways to measure compliance with the Code of Conduct and Customer Charter, and identify dispute trends, consumer satisfaction and audits.
- 5.1.4 Ensure that Registered Businesses and Sub-Contractors are competent to perform the trade(s) registered.

5.2 Scheme Providers will be required to meet the following:

- 5.2.1 Document and make available to all applicants and registrants the requirements of the TrustMark scheme. Secure commitment, upon registration, from businesses to abide with, and meet, the requirements throughout their involvement in the Scheme. **ISO17065 [4.1.2 & 4.6]**
- 5.2.2 Where necessary, provide guidance to a Registered Business on where to obtain advice and training to enable compliance with the Code of Conduct and Customer Charter.
- 5.2.3 Make the Code of Conduct, Customer Charter and relevant Scheme Provider documents available, without charge to customers, complainants and others with a legitimate interest. **ISO17065 [4.6]**
- 5.2.4 Develop ways to measure compliance with the Code of Conduct & Code(s) of Practice including dispute trends and root-cause analysis; and to make these available at audit.
- 5.2.5 Regularly update any changes in provisions in the light of changing circumstances and expectations, ensuring that Registered Businesses are informed of any changes. **ISO17065 [7.10]**
- 5.2.6 Ensure that Registered Businesses are fully aware of the areas of work offered through TrustMark. Those areas that fall outside of their registration are treated with the same approach detailed within Annex A, the Customer Charter and Code of Conduct.
- 5.2.7 Provide on-going technical help and advice, as appropriate - provided such help/advice does not cause any conflicts of interest and is not considered to be consultancy. **CoA Clause 11 ISO 17065 [4.2.6]**

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Audit & Compliance

6.1 The key principles of the audit and compliance processes are to:

- 6.1.1 Ensure policies and procedures are in place to deal with a Scheme Provider's non-compliance with the Scheme Provider Sub-Licence or the Framework requirements, including:
- Robust process** - It is essential that the audit process is robust, documented, with clear corrective actions and timescales. TrustMark will complement the tasks performed by UKAS under ISO17065 and the requirements of PAS2031, where appropriate, and will not duplicate areas
 - Accountability** - Under the terms of its Scheme Provider's Sub-Licence, Scheme Providers are obliged to co-operate with TrustMark and UKAS (where applicable) for annual audit visits; and by agreement as otherwise deemed necessary
 - Corrective Actions** - Non-compliance identified during the TrustMark audit will be discussed at the time of the audit and timescales for corrective actions will be agreed. Non-conformance will be recorded on the Compliance Audit Report and shared with the Scheme Provider

The TrustMark/UKAS auditor will monitor any remedial actions agreed. Escalations will be made to the TrustMark Management Board if improvement has not been seen within the agreed timescales
 - Sanctions** - If a Scheme Provider fails to comply with any suggested corrective actions, they may be suspended or removed as a Scheme Provider. The decision to suspend or remove a Scheme Provider will be taken by the TrustMark Management Board, in line with the TrustMark Sanctions Policy
- 6.1.2 Make certain Scheme Providers are fully compliant with their Provider Sub-Licence Agreement and continue to meet the Government's and Consumer's expectations, as set out in the Code of Conduct.
- 6.1.3 Ensure that any changes within the TrustMark Governance Board are communicated to the Scheme Providers in a timely manner, allowing update of processes as required.
- 6.1.4 Confirm Scheme Providers are proactively maintaining the standard of the TrustMark scheme through their vetting and on-going monitoring of Registered Businesses, using all knowledge and available resources, mitigating the risk presented by 'phoenix companies'.
- 6.1.5 Ensure that only experienced, competent and suitably qualified individuals perform on-site inspections of Registered Businesses.

Scheme Providers will be required to meet the following:

6.2 Compliance audits

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| 6.2.1 | Have in place a documented, robust and transparent audit process. Where the organisation is UKAS accredited, the UKAS audit will be recognised; as will ISO 9001 Certification by a recognised certification body. | ISO17065 7.4
ISO9001 |
| 6.2.2 | Compliance audits will be undertaken at least annually, on a mutually agreed date. The Scheme Provider will be held accountable for any non-compliant issues found during the audit and must take corrective actions within agreed timescales. | ISO17065 8.7
& ISO17065 7.9
ISO17065 [7.12] |
| 6.2.3 | Make available any current certificated ISO9001 and UKAS inspection reports at the time of the audit or before - including all recommendations, non-conformance and remedial actions to be taken. | |

6.3 Initial pre-entry checks - new businesses application

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| 6.3.1 | Scheme Providers must complete pre-entry checks on each business applying for registration, ensuring receipt of all information and supporting evidence required, as described in Annex A. | |
| 6.3.2 | Where the Registered Business' capabilities or compliance are subject to approval of the application, a 'Declaration of Intent', with supporting evidence, must be submitted as indicated by 'Y*' in Annex A.

Pre-entry checks include:
a) Review of documentation and evidence supplied with the application
b) Review and checking of online resources to confirm/validate claims made by the applicant organisation
c) On-site inspection of work in progress, or recently completed work, for each trade applied for, to confirm work against agreed industry standards | |
| 6.3.3 | Include mid-point inspections for those works that cannot be adequately evaluated post installation. | ISO17065 [7.3 & 7.4] |
| 6.3.4 | Manage and arrange all on-site inspections to ensure that they are performed by a competent inspector for the trade(s) being inspected. | ISO17065 [6.2] |
| 6.3.5 | Selection of inspection locations will be conducted using an appropriate methodology that is likely to select sites that are representative of all the work carried out by the Registered Business. | |
| 6.3.6 | Businesses holding membership, registration or certification of existing recognised schemes and standards, including mandatory schemes and standards, will be deemed as having satisfied the minimum technical competency requirements for entry into TrustMark. | |

- 6.3.7 In cases where a prior Registered Business has ceased to trade, and the participators or Management apply for Registered Business status for a related new company (potential 'phoenix companies'), then the Scheme Provider has the discretion as to any conditions that must apply to re-admission of the new company to membership (i.e. assumption of liability for prior work etc.)
- 6.3.8 Where an applicant business has less than a six-month trading history, the Scheme Provider must satisfy themselves of the suitability of the applicant for registration and complete further checks as necessary, including checking insolvency and bankruptcy registers for key people within the business.

6.4 On-going annual checks – registered businesses

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| 6.4.1 | Complete annual checks and monitoring of each Registered Business using a blend of on and off-site inspections and reviews based on risk and experience of the Registered Business (also see Annex A). The monitoring of Registered Businesses must take into account sector specific standards, codes of practice and scheme rules. | ISO17065 [7.9] |
| 6.4.2 | On-site inspections must: <ul style="list-style-type: none"> a) Include post installation visits selected at random b) cover a statistically significant sample; N.B. 5% is the considered 'norm', but other factors may determine otherwise. Valid justification would need to be available for a reduction less than the considered norm c) be representative across trades and types of work undertaken including sub-contractors used d) Include mid-point inspections for those works that cannot be adequately evaluated post installation | |
| 6.4.3 | Visits must include mid-point inspections for those works that cannot be adequately evaluated post installation (e.g. solid wall insulation). | |
| 6.4.4 | Scheme Providers will use the results of inspection visits, audits and dispute investigation to inform risk rating, sample size, type and frequency of the ongoing audit regime for each Registered Business. | |
| 6.4.5 | Scheme Providers will follow-up on any non-compliance issues in line with their sector standards, code of practice or scheme rules. Notwithstanding, all non-compliance issues found must be supported by clear statement of next actions and include a date for resolution of safety / non-safety related breaches. Follow-up on non-safety issues must be completed within a 12-week period maximum. | ISO 17065 [7.4.6 - 7.4.9] |

07

Enforcement & Sanctions

7.1 The key principles of enforcement and sanctions are to:

- 7.1.1 Engage with relevant agencies, including national bodies such as Trading Standards departments and local Building Control, to support enforcement activities relating to the delivery of services and products by businesses registered with the TrustMark scheme.
- 7.1.2 Provide clear guidance on how enforcement and redress may be sought and to deliver a transparent, step-by-step process for customers.
- 7.1.3 Support the provision of enforcement services in key areas of:
 - a) Mis-selling
 - b) Unauthorised and/or misuse of the TrustMark brand
 - c) Misleading or restrictive contracts
 - d) Sale of goods
 - e) Sale and installation of products that are not fit for purpose
 - f) Services not provided with reasonable skill and care
- 7.1.4 Investigate any Scheme Provider that is deemed to have excessive disputes and instigate an auditable programme of corrective measures. Those businesses unable to meet the measures will be removed from the TrustMark scheme.
- 7.1.5 Provide assurance and protection for consumers, safeguarding the quality of measures and that claimed savings are realised for the lifetime of the measure.

7.2 Scheme Providers will be required to meet the following:

- 7.2.1 Any prosecution of a Registered Business that directly relates to the provision of services under TrustMark the business must be immediately suspended and removed from the public register pending further investigation.
- 7.2.2 To review the suitability of the business to continue with TrustMark registration and be able to provide evidence on the decision. The business may be removed, after investigation, by following the agreed sanctions policy and removals processes. ISO17065 [7.11]
- 7.2.3 Where a business repeatedly fails to meet the required standards or is the subject of multiple complaints or disputes outside of the industry norm, the Scheme Provider must fully investigate and audit the business; implementing any actions identified within a defined and specified period. The business may be removed from the register, following the agreed sanctions policy and removals processes. ISO17065 [7.11]

7.2.4	Assist TrustMark with the investigation of a Registered Business and support the implementation of any identified corrective measures, excluding financial assistance – subject to an appeals process.	ISO17065 [7.13]
7.2.5	Provide TrustMark with monthly reporting on current sanctions and appeals. The report must include, but is not limited to: <ul style="list-style-type: none"> a) Registered Business details b) Cause of dispute c) Investigations undertaken d) Date and location of review e) Sanction decisions made 	
7.2.6	Should a sub-licence be revoked, the Scheme Provider will work with TrustMark to transition all Registered Businesses to an appropriate alternative Scheme Provider, ensuring minimal disruption and detriment to their business and customers.	

08

Dispute Management

8.1 The key principles of the dispute management process are to:

- 8.1.1 Ensure consumers have access to a speedy, accessible, clear and user-friendly dispute process, which is free of charge up to the point of mediation/arbitration and helps to reduce the need for legal action.
- 8.1.2 Help all parties reach an amicable resolution, wherever possible, building increased consumer confidence and improving customer satisfaction.
- 8.1.3 Ensure that all Scheme Providers understand their obligations for the proper management and handling of consumer disputes.
- 8.1.4 Ensure Scheme Providers can deal swiftly with breaches of the Code of Conduct, so that consumer detriment is reduced, and disputes are minimised.
- 8.1.5 Ensure vexatious or unjustified disputes are dealt with efficiently, fairly and firmly.
- 8.1.6 TrustMark and its Scheme Providers will not become involved in commercial disputes, or claims for compensation, unless they may cause an adverse impact on the reputation of the Scheme or disadvantage the consumer.
- 8.1.7 TrustMark will investigate consumer complaints in relation to the Scheme Providers handling of their dispute in accordance with their sub-licence agreement.
- 8.1.8 Where a Scheme Provider dispute process has been exhausted and the matter is unresolved, providing it has not already been referred to Alternative Dispute Resolution (ADR) and a binding award made, TrustMark will signpost Scheme Providers, Registered Businesses and consumers to independent mediation and arbitration services on request.

NB: It should be noted that some Scheme Providers have their own Approved ADR Providers.

8.2 Scheme Providers will be required to meet the following:

- 8.2.1 Maintain a responsive, timely, accessible and user-friendly dispute resolution and disputes handling process. Operate to timescales, is free of charge to the consumer up to the point of mediation/arbitration. All processes must consider the requirements of all current and newly updated consumer protection legislation. The process will detail:
 - a) Service Level Agreement
 - b) Issues that fall outside of remit
 - c) An ADR Provider
 - d) Structure of independent review panels

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- 8.2.2 Provide the same level of co-operation with local consumer advisers, Ofgem, energy suppliers or any other intermediary acting on behalf of a consumer when making a dispute, as they would when dealing directly with the complainant. Providing suitable help and assistance when dealing with vulnerable people.
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- 8.2.3 Where a dispute cannot be resolved through agreement of the parties involved, ensure that a dispute resolution procedure includes an escalation process to ADR.
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- 8.2.4 Co-operate fully with TrustMark on any dispute handling issues and provide related documents and statements upon request.
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- 8.2.5 Ensure robust arrangements are in place to support consumers if a Registered Business unreasonably refuses to co-operate with the scheme's disputes investigation or dispute resolution process - *this can only occur if prior permission has been granted*. For example; provide the consumer with a summary of findings and/or statements to support their claim or identify alternative tradesman to rectify and/or complete the work.
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- 8.2.6 A Scheme Provider may choose to suspend actions within the dispute resolution process if either party to the dispute takes legal action. If legal action results in a successful prosecution, the Scheme Provider will initiate immediate review of the Registered Business as described in 7.2.1 - Enforcement and Sanctions.
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09

Consumer Safeguarding

9.1 The key principles of consumer safeguarding are to:

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- 9.1.1 Use the Code of Conduct and Customer Charter to positively promote to consumers the benefits of using quality mark Registered Businesses.
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- 9.1.2 Ensure that Registered Businesses respect the wishes and welfare of consumers and operate in a way which protects their homes and property.
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- 9.1.3 Ensure that Registered Businesses trade fairly and do not engage in unfair trading practices.
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- 9.1.4 Ensure that consumers are not exploited or disadvantaged, with respect for the needs of vulnerable consumers.
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- 9.1.5 Ensure that consumers have access to a simple redress process in the event of a problem, including access to Alternative Dispute Resolution.
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9.2 Scheme Providers will be required to meet the following:

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- 9.2.1 Ensure that all Consumer Safeguarding requirements are understood and met by the Registered Business as detailed within Annex A.
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- 9.2.2 Have a policy in place that provides guidance to Registered Businesses on how to safeguard that vulnerable consumers are not exploited or disadvantaged.
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- 9.2.3 Ensure that all Registered Businesses have access to, and embed into their normal working practices, the Code of Conduct and Customer Charter.
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- 9.2.4 Have in place a complaint resolution policy and process and provide Registered Businesses with best practice guidance on complaint resolution.
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Vulnerable Consumers as defined by "Who decides? 1997 Lord Chancellor's Department and 'No Secrets' - Department of Health 2000"

A person aged 18 or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

10

Financial Protection

10.1 The key principles of financial protection are to:

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| 10.1.1 | Ensure that customers are provided with financial protection on works completed and services provided as required in Consumer Law (further guidance provided in the Code of Conduct). |
| 10.1.2 | Ensure that Registered Businesses have a method of providing financial protection to their customers should they cease trading and be unable to rectify issues. |
| 10.1.3 | Acknowledge well-established financial protection mechanisms, for example: those supported by insurance backed guarantees and those supported by Scheme Provider practices. |
| 10.1.4 | Ensure that all financial protection used by TrustMark businesses meet consumer protection principles. |
| 10.1.5 | The TrustMark Board includes an independent panel to conduct a review of methods of financial protection before they can be permitted for use within the Scheme. A register of appropriate policies will be maintained. |
| 10.1.6 | The independent review panel will ensure that any financial protection issued by the business will have fair terms without consumer detriment and abide by consumer law; protection can be increased beyond the legal minimum but not reduced. |
| 10.1.7 | The independent review panel criteria will focus not only on the policy/protection and its wording – but ensure the claims paying ability is proven and regularly checked and remains valid. |

10.2 The financial protection must:

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| 10.2.1 | Be provided for works with a contract value more than £500 except where the customer is a local authority/housing association, in which case the protection must be at least offered. |
| 10.2.2 | Be suitable for the type of property e.g. heritage properties or park homes. |

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| 10.2.3 | Be in written 'plain English' and include: <ol style="list-style-type: none"> Details of the issuing party What is covered (the 'triggers' under which the policy would respond and whether their financial protection allows for the rectification/repair of defective workmanship and materials while the business is still trading) What is not covered (including what invalidates the cover e.g. self-repair) Conditions of cover Duration of cover, this will be a minimum of 6 years except for cavity and solid wall insulation which will be 25 years Any service/maintenance requirements How to claim Date cover commences Limit of indemnity (usually the contract value) Policy definitions Excess (where applicable). The excess shall be appropriate to the average cost of a claim Provision noting Building Regulation compliance to regulations (this may not be applicable to all contractor disciplines) Cancellation provisions Law under which the policy will be administered (e.g. Westminster law) Data protection policy (how personal information will be used) |
| 10.2.4 | Ensure consumers will not be placed under any burden to activate the policy. |
| 10.2.5 | Where a policy is transferred to a new homeowner, the new homeowner will not be disadvantaged by any failure to notify the guarantee protection provider of the new name of the homeowner. |
| 10.2.6 | Have clear and unambiguous terms for when the policy is triggered (the "trigger events"). The Independent review panel will ensure that the triggers do not result in consumer detriment. |
| 10.2.7 | Include deposit and prepayment protection that lasts for a minimum period of 90 days. |
| 10.2.8 | Cover work in progress. |
| 10.2.9 | Be underpinned by a fund of last resort or appropriate mechanism to step in if the financial protection organisation is unable to honour a claim. |

10.3 Scheme Providers will be required to meet the following:

- | | |
|--------|---|
| 10.3.1 | Ensure that financial protection offered to their Registered Businesses has been confirmed as appropriate by the Independent Review panel. |
| 10.3.2 | Ensure that their Registered Businesses only use protection listed within the TrustMark register of appropriate policies. |
| 10.3.3 | Have a written claims process that is evaluated and challenged on a regular basis. The process must: <ol style="list-style-type: none"> Be able to demonstrate that it does not include any unreasonable barriers to the consumer making a claim Ensure that a claim cannot be declined solely on the consumer's failure to provide a copy of the financial protection documentation, as this is a document that the Scheme Provider will be deemed to hold on file |

11

Brand Governance

11.1 The key principles of brand governance are:

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| 11.1.1 | TrustMark will grant Scheme Providers and Registered Businesses a non-exclusive Sub-Licence to use the TrustMark brand in accordance with the TrustMark Brand Identity Guidelines. |
| 11.1.2 | To achieve visible, consistent and accurate use of the TrustMark brand by all Scheme Providers and Registered Businesses and reduce the opportunity for confusion among consumers (particularly when businesses may be offering or advertising multiple core trades). |
| 11.1.3 | To protect the copyrights, trademarks and other intellectual property (IP) of the brand (such as digital assets, logos and related images, URLs and domain names etc.) from unauthorised use and misuse which may mislead the public or bring TrustMark into disrepute. |
| 11.1.4 | Scheme Providers and Registered Businesses will comply with the TrustMark Brand Identity Guidelines and the Code of Conduct support documents, preserving the reputation and integrity of the TrustMark scheme. |
| 11.1.5 | To support and enforce the TrustMark brand misuse process and procedure through to resolution, using joint branded communications when: <ul style="list-style-type: none"> a) any TrustMark registered Scheme Provider's members are not adhering to the TrustMark Brand Identity Guidelines b) any unauthorised use of the TrustMark Brand by businesses not-registered with the scheme |
| 11.1.6 | To ensure effective liaison with Trading Standards services and other authorities when taking formal action against brand misuse. |

11.2 Scheme Providers will be required to meet the following:

- | | | |
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| 11.2.1 | Ensure that the TrustMark brand and logo is used, promoted and protected in line with the requirements of the Brand Identity Guidelines and will act where breaches of the guidelines have been proven. | 17065 [4.1.3] |
| 11.2.2 | Ensure that the TrustMark brand Intellectual Property is only used for the purposes for which it is licensed, and will not alter, deface or in any other way amend it or misrepresent it. | |
| 11.2.3 | Ensure that Registered Businesses receive a copy of the Brand Identity Guidelines and understand the permitted uses of the TrustMark brand. Scheme Providers will inform TrustMark of any perceived breaches of the Guidelines; and will support TrustMark to police and manage instances of brand misuse. | |
| 11.2.4 | Ensure Registered Business compliance with brand identity guidelines via the regular compliance checks on the business. | |
| 11.2.5 | Not engage in any activity or practice which may result in public criticism, or bring the TrustMark brand into disrepute | |
| 11.2.6 | Support TrustMark, Trading Standards services and other authorities in their actions against brand misuse, where appropriate and requested. | |

12

Communications

12.1 The key principles of communication are to:

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|--------|---|
| 12.1.1 | To ensure TrustMark, Scheme Providers and Registered Businesses support the TrustMark brand values and message by providing consumers, trades, industry, Government and other stakeholders with reliable, accurate and timely information. |
| 12.1.2 | To actively promote and grow awareness of the TrustMark scheme benefits amongst consumers, members and non-members by implementing an active and on-going communications programme. |
| 12.1.3 | Develop and promote the TrustMark directory of searchable local quality mark Registered Businesses. |
| 12.1.4 | To work collaboratively with Scheme Providers to educate TrustMark on trends, statistics, industry updates, legal updates, consumer and trade feedback and other relevant information, to aid TrustMark in developing an industry holistic information base, which: <ul style="list-style-type: none"> a) Enhances a greater level of consumer confidence b) Supports trades to become or remain a registered TrustMark business c) To grow and support a skilled industry |
| 12.1.5 | To ensure effective communications between TrustMark, Scheme Providers, Registered Businesses and consumers as detailed in the Code of Conduct and Customer Charter. |
| 12.1.6 | To maintain an awareness of any events and issues that may bring TrustMark and/or the Scheme Provider's name into disrepute or result in potentially negative publicity. |

12.2 Scheme Providers will be required to meet the following:

- | | | |
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| 12.2.1 | Actively promote the TrustMark scheme, explaining its purpose and benefits and encourage consumers to use Registered Businesses. | CoA clause 6 |
| 12.2.2 | To work within the industry to raise awareness of the TrustMark scheme with potential registrants, encouraging registration and membership of the scheme. | |
| 12.2.3 | Work jointly with TrustMark and other agencies to raise the standards of work within the industry through awareness, compliance and communication of scheme benefits. | |
| 12.2.4 | Work with TrustMark to establish a joint communications programme which provides access and information to both Registered Businesses and consumers. | CoA clause 6 |
| 12.2.5 | To ensure that any disputes that may cause TrustMark to experience negative reviews or criticism within the public domain are notified immediately to allow proactive mitigation. | |
| 12.2.6 | Ensure that consumers have suitable access to information and data about Registered Businesses to support choices and enable informed decision-making about works required on their homes and property. Information must include, but is not limited to: <ul style="list-style-type: none"> a) Registered Business contact information b) Registered Business work categories/scope registered c) Access to consumer guides and advice on installation methods and practices d) Feedback and complaints processes and contact information | |

13

Assessment & Design

13.1 The key principles of assessment & design are:

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- 13.1.1 To ensure that all Registered Businesses approach the design stage processes (in context) with a holistic view and consider the consumer's home, its environment, heritage, occupancy and the consumer's improvement objectives when determining suitable measures.
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- 13.1.2 Scheme Providers will ensure that, where appropriate, Registered Businesses make energy saving claims connected with any proposed measures and that all claims will be in line with the approved figures and methodologies, providing robust data and analysis where further required.
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- 13.1.3 Scheme Providers will ensure that, where appropriate, Registered Businesses performance claims, testimonials and claims relating to savings, financial payback, return on investment or income are clearly attributed to a reputable source
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13.2 Scheme Providers will be required to meet the following:

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|--------|--|---------|
| 13.2.1 | Where applicable, Registered Businesses must show compliance with PAS2030. They are required to have in place and use procedures and processes for EEM (Energy Efficiency Measures) design validation and complete pre-installation building surveys. | PAS2031 |
| <hr/> | | |
| 13.2.2 | Where applicable, Registered Businesses must show compliance with PAS2030. They are required to have procedures in place to carry out a pre-design and/or pre-installation building surveys on suitable properties, using a competent & qualified person, before the consumer signs a contract. | PAS2031 |
| <hr/> | | |
| 13.2.3 | <p>To ensure Registered Businesses have processes in place to communicate to the consumer the reason for, nature of, any charges relating to any surveys or visits in advance - ensuring understanding by the consumer.</p> <p>The purpose of this requirement is to endeavour to ensure consumer understanding and awareness with clarity of costs to promote the use of fair and reasonable charges.</p> | |
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- 13.2.4 To ensure that Registered Businesses provide consumers with a written report following any survey or assessment, either as a standalone report or as part of a formal quotation. A written report, where relevant, would be expected to contain the following:
- a) Statement of intended performance
 - b) Expected life of product of installation
 - c) Maintenance expectations
 - d) If the product complies with any design codes/guidance over and above minimum Building Regulations
 - e) How the whole building has been considered during the design and how this new installation may affect the residents use of it
 - f) How the design parameters of the existing situation have been recognised and considered in the design e.g. Boiler design and insulation levels / ventilation and airtightness levels/garden plants and soil condition or type
 - g) Considerations on future works and how allowances are made for the consumers future intentions and how future work has not been blocked
-
- 13.2.5 To ensure that Registered Businesses, after carrying out a pre-installation building survey, where it is found that the property is not suitable for the proposed measures, the Registered Business explains the reason to the consumer. They will support in cancelling any agreements, refunding any deposits or pre-payments they hold in relation to the proposed measure installation. Costs incurred by the Registered Business in conducting the pre-installation building survey, are subject to the conditions of the contract.
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- 13.2.6 To ensure that, where made, a Registered Businesses performance claims, testimonials and claims relating to savings, financial payback, return on investment or income are clearly attributed to a reputable source.
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14

Performance Measurement & Evaluation

14.1 The key principles of performance measurement & evaluation are to:

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| 14.1.1 | Ensure that consumers have access to suitable data and information to check or investigate works pertaining to their properties. |
| 14.1.2 | Support a system that enables the setting and revision of benchmarks, performance outcomes related to specific measures, building types or circumstances. |
| 14.1.3 | Create a feedback and learning loop to inform advice and guidance, design of improvements and installation practice. |
| 14.1.4 | Provide a mechanism for checking, and where necessary, investigating the performance of improvements that is independent of those delivering the works. |
| 14.1.5 | Provide TrustMark access to data to support investigation of performance issues and feed back to relevant parts of the supply chain |

14.2 Scheme Providers will be required to meet the following:

- | | |
|--------|---|
| 14.2.1 | Show compliance with PAS 2031.17 and can evidence that Registered Businesses are compliant with PAS 2030 |
| 14.2.2 | Cooperate with TrustMark in gathering and providing access to data and other information concerning: <ol style="list-style-type: none"> assessments design (including relevant performance improvement predictions) the works undertaken (including any concerns raised or remediation required) information relating to post works performance |

15

Product Suitability

15.1 The key principles of product suitability are to:

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| 15.1.1 | Ensure that all goods and services supplied are in line with the Consumer Rights Act 2015. |
| 15.1.2 | Ensure that all products meet the relevant safety standards. |
| 15.1.3 | Ensure that all products and systems meet the relevant requirements of the Building Regulations. |
| 15.1.4 | Ensure products meet their product claims and are suitable for the applications they are being proposed for. |

15.2 Scheme Providers will be required to meet the following:

- | | |
|--------|---|
| 15.2.1 | Ensure that their industry sector relevant legislation requirements for product conformity is complied with by their Registered Businesses |
| 15.2.2 | Where individual industry sectors have directories or lists of certificated products that must/can only be used, the Scheme Provider will ensure the requirement(s) are being complied with by their Registered Businesses. For example, MCS Certified Products |

16

Data & Information Sharing

16.1 The key principles of data & information sharing are:

- 16.1.1 TrustMark and industry stakeholders will:
- a) Develop/communicate new approaches for engaging consumers with energy efficiency and renewable energy (e.g. by using trigger points and promoting the wider benefits of the measures which are valued by households) and deliver awareness-raising programmes at national and local levels
 - b) Make available a set of impartial information and guidance to support more effective industry communications with customers and to aid consumer decision-making on installing measures, by establishing a central Information Hub (for best practice advice and guidance) and work towards developing a Data Warehouse (to act as a store for property-level data and information)
 - c) Develop/communicate a range of services and tools linked to the Information Hub and Data Warehouse, once available, to provide advice (both online and by telephone) and to enable engagement with all consumers, including vulnerable households, in ways most appropriate to them
 - d) Develop a set of independent, impartial advice documents and/or web-based tools for both consumers and the supply chain covering each specific technology
- 16.1.2 Data shared with TrustMark will be used for scheme operation and improving standards. Such data may be included in the Data Warehouse and Information Hub and made available to enforcement agencies and consumers through appropriate means.
- 16.1.3 Non-personal data may be combined with other data sets to provide insights and underpin improved standards of work.
- 16.1.4 Where an installation is notified to Local Authority Building Control as part of a Competent Person's Scheme this may also be shared with TrustMark for purposes of quality mark delivery. This includes monitoring for audit and compliance and for inclusion of non-personal information into the Data Warehouse.

16.2 Scheme Providers will be required to meet the following:

- 16.2.1 Ensure compliance with all aspects of the General Data Protection Regulation (GDPR) and any other relevant data privacy and protection regulations e.g. PCI_DSS and legislation as may be applicable or come into force during operation of the scheme.
- 16.2.2 Provide regular property specific information relating to the inspections and audits undertaken. This must include details of the business, the measure and outcome. Similar data is also required for complaints, disputes and sanctions along with resolution times, cause and outcomes to inform continual improvement and benchmarking.
- Detailed information will be made available to TrustMark to support investigations and scheme improvement programmes.
- Note: TrustMark will define the data requirements and the mechanism for provision within the Scheme Provider section of the website.
- 16.2.3 Where a business is removed from the register, the Scheme Provider will inform TrustMark. Information relating to removed businesses may be shared between Scheme Providers to minimise risks of 'phoenix companies' or re-registration of removed businesses with alternative Scheme Providers.
- 16.2.4 Ensure that they and their Registered Businesses have an appropriate lawful basis for sharing information with TrustMark and that the data can be included within the Data Warehouse and Information Hub.
- 16.2.5 Where appropriate - Data sharing may occur:
- a) between Scheme Providers to prevent Registered Businesses moving between bodies when they are de-registered from one
 - b) between Scheme Providers and the relevant scheme administrators to ensure that non-compliance is identified and reflected in schemes
 - c) between all parties and TrustMark so that Scheme Providers can act on information provided to them from the schemes
 - d) between Scheme Providers and relevant obligated energy suppliers and UKAS to ensure that where non-compliance is identified it can be acted upon to improve standards
- 16.2.6 Maintain a database of all measures installed, including product and guarantee information, by Registered Businesses under their certification scheme and covered by TrustMark.

Glossary

Brand Identity Guidelines	The document that details how and where the TrustMark branding may be used by our Scheme Providers, Registered Businesses and associated partners
Building Regulations	A minimum standard for design, construction and alterations to virtually every building
Consumer	An individual acting in their personal capacity, not in any trade or business
Customer	Can be consumers or businesses
Department for Business, Energy and Industrial Strategy	Government sponsoring department of Master Licence Agreement – “Government Endorsed Quality”
Framework Operating Requirements	This document
ISO 9001:2015 (en)	The international standard that specifies requirements for a quality management system (QMS). Organisations use the standard to demonstrate the ability to consistently provide products and services that meet customer and regulatory requirements
PAS 2030:2017	Improving the energy efficiency of existing buildings. Specification for installation process, process management and service provision
PAS 2031:2017	Certification of energy efficiency measures (EEM) installation in existing buildings
Phoenix Company	The practice of carrying on the same business or trade successively through a series of companies where each become insolvent in turn
Registered Business	A business that is registered with a Scheme Provider and commits to comply with the TrustMark Code of Conduct and Customer Charter
Retrofit	Renovation or refurbishment of existing buildings to upgrade the energy performance of the building
Scheme Provider	An organisation that meets the Framework Operating Requirements and other relevant industry standards and monitors Registered Businesses for compliance
TrustMark	Holder of the Master Licence Agreement to operate the Government Endorsed quality mark scheme

1. Annex A

APPLICANT AND REGISTERED BUSINESS REQUIREMENTS.

The following is the TrustMark criteria for applicant and/or Registered Businesses and are the mandatory minimum requirements, supplemented by additional industry specific requirements set out by Scheme Providers.

On the initial assessment of an application the requirements must be demonstrated where indicated with “Y” or be subject to a ‘declaration of intent’ where indicated with “Y*”. Following registration all requirements indicated with “Y” in the “Ongoing” column must be in place and, where applicable, evidenced to the Scheme Provider as required.

NB: Initial and on-going risk based reviews (no less than annually)

Requirement on applicant or Registered Business		Initial	Ongoing
1.1 Suitability of a business to be registered on the scheme			
1.1.1	Declare, as required by the Scheme Provider, previous membership of, or removal from other certification/registration schemes/bodies	Y	
1.1.2	Provide evidence of a trading address (evidence could be validated via credit reports, Companies House or site visits by the Scheme Provider). This address may be: <ul style="list-style-type: none"> a) residential b) a Virtual Office address providing the Scheme Provider has validated the Business’s actual residential address and this information can be made available upon request c) a PO Box providing the Scheme Provider has validated the Business’s actual physical address and this information can be made available on request 	Y	Y
1.1.3	Provide, or allow the Scheme Provider to access evidence of financial track-record / bona fides / credit rating at residential and/or trading address and accept that Scheme Providers have the right to conduct other background checks as they see appropriate.	Y	Y
1.1.4	Declare any County Court Judgements at residential and business trading address - accepting that the Scheme Provider may access such evidence independently and that spent County Court Judgement will be at the discretion of the Scheme Provider	Y	Y
1.1.5	Hold all current relevant insurances; employer’s liability, public liability, professional indemnity, covering accidental damage caused to customers property	Y	Y
1.1.6	Ensure that all key documents (e.g. quotations, contracts, terms & conditions etc) include the legal entity of the Registered Business and current contact details	Y	Y
1.1.7	Comply with current Health and Safety at Work Act 1974 and all relevant health and safety legislation; and where required documented policies, procedures and records	Y*	Y*
1.1.8	Comply, where relevant to the scope of registration and nature of contracts undertaken, with the Construction, Design and Management Regulations 2015	Y*	Y*
1.1.9	Comply with current waste regulations – relating to licensing necessary for the carriage, transfer, storage and/or disposal of waste	Y	Y

1.1.10	Update the Scheme Provider with key changes such as: a) legal status or trading title b) trading address c) director(s) d) capability (key personnel, reducing scope of registration) e) legal judgments relevant to the scope of registration		
1.1.11	Comply with the TrustMark Code of Conduct and Customer Charter ensuring information is shared amongst employees and sub-contractors, where applicable	Y*	Y*
1.2 Capability to supply the service for which the business is registered			
1.2.1	Only carry out work that falls within its professional competence and will exercise all reasonable care and skill. Quality will be evidenced by onsite inspections of current or recently completed work carried out for every trade/service included in the business's scope of registration.	Y	Y
1.2.2	Provide evidence of competences for trades applied for or registered. Where applying to install EEM included in PAS2030, hold valid PAS2030 certification.	Y	Y
1.2.3	Maintain records of competence and training records for all employees and sub-contractors, where appropriate.	Y	Y
1.3 General consumer protection requirements			
1.3.1	Comply with all relevant and current consumer protection and unfair trading practices legislation.	Y*	Y*
1.3.2	Comply with General Data Protection Regulations for the protection of privacy and personal information.	Y*	Y*
1.3.3	Comply with the Scheme Providers requirements for financial protection where relevant.	Y*	Y
1.3.4	Take appropriate steps when dealing with vulnerable. Vulnerable consumers are those whose circumstances put them at risk of making an incorrect or inappropriate decision, or who are at risk of receiving inferior goods or services. The Registered Business must make the necessary effort, and allow sufficient time, ensuring vulnerable consumers understand all aspects of signing a contract for goods and services and, where appropriate, suggest the involvement of a trusted friend or relative	Y*	Y*
1.3.5	Ensure that an appropriate number of people within the Registered Business hold a Disclosure and Barring Service (DBS) Report if the Registered Business believes that they regularly work with vulnerable people. This requirement must be part of the Registered Business' business assessment process.	Y*	Y*
1.3.6	Act in a non-discriminatory fashion and comply with all current anti-discrimination and equality regulations.	Y*	Y*

Requirement on applicant or Registered Business		Initial	Ongoing
1.4 Pre-installation activities including marketing, sales, survey, design, quotation & contract			
1.4.1	Comply with Advertising Standards Authority (ASA) guidelines and requirements for legal, decent, honest and truthful advertising, and compliance with the branding requirements.	Y*	Y*
1.4.2	Respect a consumer's expressed wish that they do not want to receive unsolicited visits, canvassing, mailshots or telephone calls, including respect for displayed notices declining doorstep cold calling.	Y*	Y*
1.4.3	Not use high pressure selling techniques and shall leave immediately if requested to do so.	Y*	Y*
1.4.4	Provide honest, clear and helpful advice on the pros and cons of any proposed measures including, but not limited to, signposting the customer to independent advice before signing any contracts.	Y*	Y*
1.4.5	Provide written quotations, estimates, contracts (on values over £500), contract variations and cancellation notices. An exception to this will be for immediate, emergency call-out work where time is of the essence.	Y	Y
1.4.6	Ensure that any performance claims, testimonials and claims relating to savings, financial payback, return on investment or income are clearly attributed to a reputable source.	Y	Y
1.4.7	Provide quotes, invoices and contracts in accessible formats, including but not limited to large print.	Y*	Y
1.4.8	Allow consumers sufficient time to read and understand the information before contracts are signed and make themselves available to provide any further requested information.	Y*	Y*
1.4.9	Accept full responsibility for the work or services provided by any sub-contracted business and where this is not possible, the sub-contracting business must also be TrustMark registered. Ensure that any sub-contractors are identified to the consumer and the works that fall outside of your TrustMark registration.	Y*	Y
1.4.10	Where compliance must be shown with the current PAS2030: a) have in place and use procedures and processes for Energy Efficiency Measures (EEM) design validation and complete pre-installation building inspections b) have procedures in place to carry out a pre-design and/or pre-installation building surveys on suitable properties, using a competent & qualified person, before the consumer signs a contract	Y	Y
1.4.11	Have processes in place to communicate to the consumer the reason for, and nature of, any charges relating to any surveys or visits in advance – ensuring understanding by the consumer NOTE: The purpose of this requirement is to endeavour to ensure consumer understanding and awareness with clarity of costs to promote the use of fair and reasonable charges	Y*	Y

1.4.12	Check for the impact on any quote or contract of relevant, current legislation for the protection of protected species, e.g. bats, newts, native plants etc.	Y*	Y*
1.4.13	Provide consumers with a written report following any survey or assessment.	Y	Y
1.4.14	Where a pre-installation building survey finds that the property is not suitable for the proposed measures, explain the reason to the consumer and provide support in cancelling any agreements, refunding any deposits or pre-payments they hold in relation to the proposed measure installation.	Y	Y
NOTE: Costs incurred by the Registered Business in conducting the pre-installation building survey, are subject to the conditions of the contract.			
1.5 Providing the service to the customer			
1.5.1	Only supply and/or install goods that correspond to their description, are of satisfactory quality, fit-for-purpose, safe and must comply with all the applicable UK & EU legislation and industry standards (including, where necessary, CE marking and other product marking).	Y*	Y
1.5.2	Ensure that installed products integrate with other measures and be mindful of the activities of other trades.	Y*	Y
1.5.3	Ensure that instruction manuals, maintenance requirements and appropriate warranties are handed over to the consumer on completion of work.	Y	Y
1.5.4	Comply with local planning requirements and building regulations. Ensure any Building Control activities are carried out and Permitted Development rules etc.	Y*	Y
1.6 Complaints and dispute handling			
1.6.1	Have in place a responsive, accessible and user-friendly dispute handling policy and process, which is free to the customer to the point of mediation/arbitration, with a prescribed time limit for responding to disputes.	Y	Y
1.6.2	Make consumers aware of the disputes procedure, including access to Alternative Dispute Resolution process.	Y	Y*
1.6.3	Retain records of disputes and customer satisfaction evidence.	Y	Y

Requirement on applicant or Registered Business

Initial

Ongoing

1.7 Branding and promotion of the scheme

1.7.1	Promote the scheme through effective use of the brand in line with the Brand Guidelines document.	Y	Y
1.7.2	Make consumers aware of the benefits of the scheme.	Y*	Y*

1.8 Compliance with scheme requirements

1.8.1	Make available to the Scheme Provider all records they require to manage application and registration.	Y	Y
1.8.2	Make available to the Scheme Provider such sites as required for inspection for application and registration.	Y	Y
1.8.3	Ensure the attendance of suitable competent individuals as required by the Scheme Provider for application and registration activities.	Y	Y
1.8.4	Comply with any all instructions issued by the Scheme Provider in identifying and resolving any non-compliance within the requirements of the scheme.	Y	Y
1.8.5	Cooperate fully with any investigation by the Scheme Provider or TrustMark where they become involved in a complaint or dispute.	Y	Y



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