



Compliance and assurance framework for accredited assessors

Biodiversity Offsets Scheme

Department of Climate Change,
Energy, the Environment and Water



Acknowledgement of Country

Department of Climate Change, Energy, the Environment and Water acknowledges the Traditional Custodians of the lands where we work and live.

We pay our respects to Elders past, present and emerging.

This resource may contain images or names of deceased persons in photographs or historical content.

© 2025 State of NSW and Department of Climate Change, Energy, the Environment and Water

With the exception of photographs, the State of NSW and Department of Climate Change, Energy, the Environment and Water (the department) are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required to reproduce photographs.

Learn more about our copyright and disclaimer at www.environment.nsw.gov.au/copyright

Artist and designer Nikita Ridgeway from Aboriginal design agency Boss Lady Creative Designs created the People and Community symbol.

Cover photo: Lady taking pictures with an iPhone. Peter Robey/DCCEEW

Published by:
Environment and Heritage
Department of Climate Change,
Energy, the Environment and Water
Locked Bag 5022, Parramatta NSW 2124
Phone: +61 2 9995 5000 (switchboard)
Phone: 1300 361 967 (Environment and Heritage enquiries)
TTY users: phone 133 677, then ask for 1300 361 967
Speak and listen users: phone 1300 555 727, then ask for 1300 361 967
Email info@environment.nsw.gov.au
Website www.environment.nsw.gov.au

ISBN 978-1-923357-88-4
EH 2025/0062 March 2025

Find out more at:

environment.nsw.gov.au

Contents

Introduction	1
Process of granting accreditation and renewals	3
Framework for managing work quality and behaviour	4
Accreditation actions available to the department	9
References	18
More information	18

List of tables

Table 1	Accreditation and renewal processes	3
Table 2	Framework for managing work quality and behaviour of accredited assessors	4
Table 3	Complaints and feedback action process – accreditation actions under the compliance and assurance framework	9

List of figures

Figure 1	Accredited assessor compliance and assurance framework	2
----------	--	---

Introduction

The NSW Department of Climate Change, Energy, the Environment and Water (the department) administers the *Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017* (Accreditation Scheme Order 2017) under section 6.10 of the *Biodiversity Conservation Act 2016*.

This compliance and assurance framework for accredited assessors (the framework) outlines the department's approach to ensuring accredited assessors comply with the conditions of their accreditation, including applying the *Biodiversity Assessment Method* (DPIE 2020a) (BAM) and the *Code of conduct* for accredited assessors.

Through the framework, the department intends to provide participants, stakeholders and the community with confidence that robust arrangements are in place to manage the role of accredited assessors in the Biodiversity Offset Scheme (the scheme). The framework builds on the *Accredited assessors complaints and feedback management policy – Biodiversity Assessment Method* (DPIE 2020b) (the policy).

An overview of the framework and alignment with the accreditation scheme is shown in Figure 1.

The framework includes:

- process of granting accreditation and renewals (Table 1)
- framework for managing work quality and behaviour (Table 2)
- accreditation actions available to the department in managing and responding to accredited assessor compliance and assurance matters (Table 3).

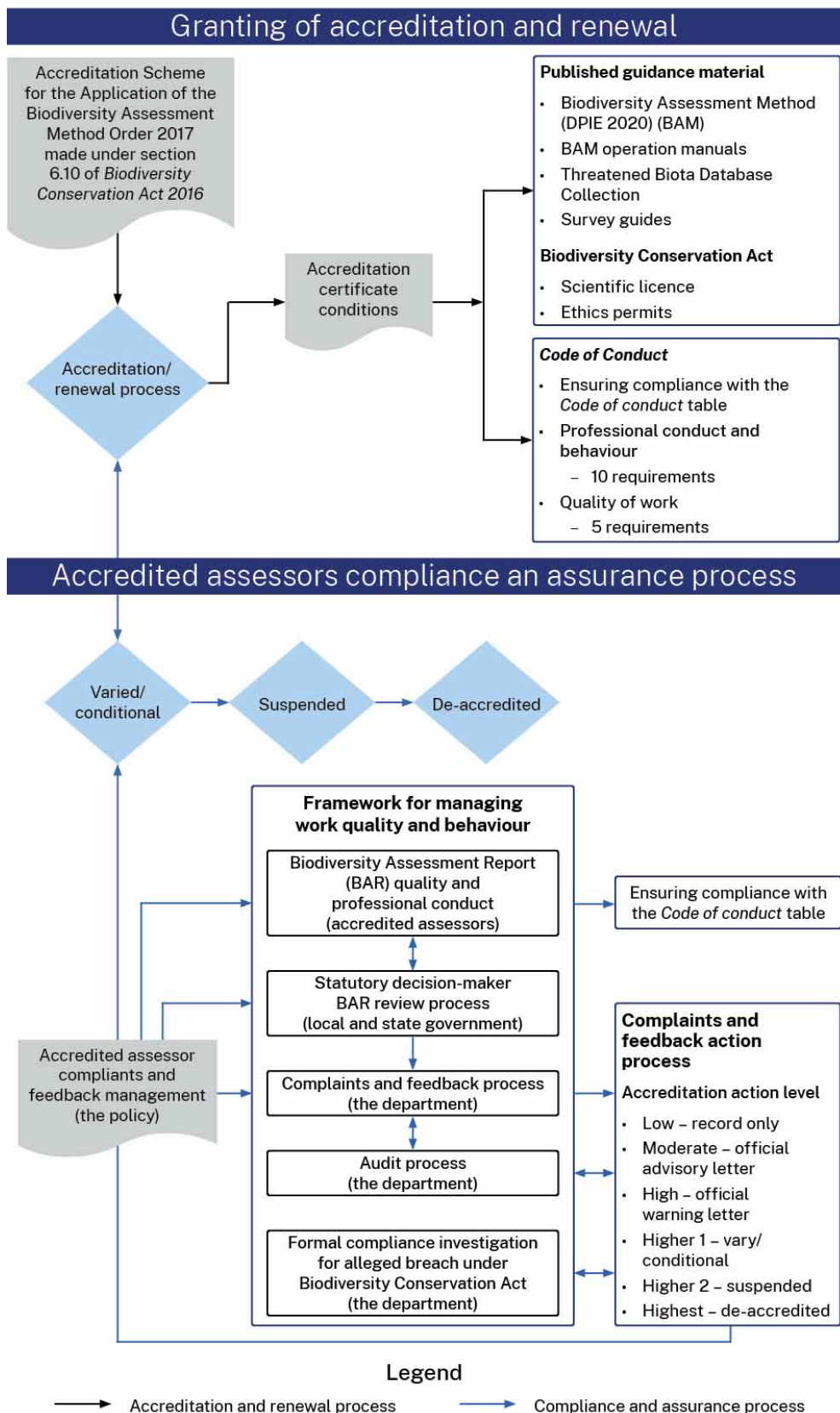


Figure 1 Accredited assessor compliance and assurance framework

This flowchart shows 2 processes, these being granting of accreditation and renewal and accredited assessors compliance and assurance.

Process of granting accreditation and renewals

Table 1 Accreditation and renewal processes

Managed by who	Key documentation	Description	Departmental responsibilities
Granting of accreditation and renewal (the department)			
The department	<p>Section 6.10 <i>Biodiversity Conservation Act 2016</i></p> <p>Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 (Accreditation Scheme Order 2017)</p> <p>Section 19 Accreditation Scheme Order 2017 – Conditions applying to all accredited persons</p> <p>Accredited assessor <i>Code of conduct</i></p> <p>‘Ensuring compliance with the <i>Code of conduct</i>’ table</p> <p>Accredited Assessor Public Register</p> <p>Biodiversity Assessment Method (DPIE 2020a) (BAM)</p>	<p>The Environment Agency Head may accredit people for the purposes of applying the BAM and preparing Biodiversity Assessment Reports (BARs) under Biodiversity Conservation Act.</p> <p>The accreditation scheme is designed to ensure that the BAM is applied by people with appropriate ecological skills, knowledge and experience, and a demonstrated understanding of the method.</p> <p>To apply for accreditation, you must:</p> <ul style="list-style-type: none"> • successfully complete the accredited assessor training course • demonstrate the necessary knowledge, skills, experience, academic qualifications and relevant work experience. <p>Accredited assessors must be a fit and proper person, abide by the <i>Code of conduct</i> and their condition of accreditation (certificate).</p>	<p>Accreditation</p> <p>The Environment Agency Head accredits assessors under the Accreditation Scheme Order 2017.</p> <p>The accreditation term is generally 3 years.</p> <p>The department maintains an Accredited Assessor Public Register which sets out the list of current accredited assessors accredited under the Biodiversity Offset Scheme (the scheme).</p> <p>Renewal and grace periods</p> <p>The department will notify accredited assessors of their upcoming renewal.</p> <p>If not renewed, accreditation lapses, and the accredited assessor enters a 3-month grace period in which they remain eligible to renew their accreditation.</p> <p>The accredited assessor’s details will be removed from the public register by the department once their accreditation has expired. An accredited assessor is unable to certify or submit BARs if their accreditation has expired (including during the grace period).</p>

Framework for managing work quality and behaviour

Table 2 Framework for managing work quality and behaviour of accredited assessors

Managed by who	Key documentation	Description	Accredited assessor responsibilities
Biodiversity Assessment Report quality and professional conduct (accredited assessors)			
Accredited assessors	<p>Part 6, Division 3 <i>Biodiversity Conservation Act 2016</i></p> <p>Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 (Accreditation Scheme Order 2017)</p> <p>Section 19 Accreditation Scheme Order 2017 – Conditions applying to all accredited persons</p> <p>Accredited assessor <i>Code of conduct</i></p> <p>‘Ensuring compliance with the <i>Code of conduct</i>’ table</p> <p>Accredited assessors complaints and feedback management policy (DPIE 2020b) (the policy)</p>	<p>All accredited assessors are responsible for the quality of any work that is certified in a Biodiversity Assessment Report (BAR) under their name.</p> <p>A BAR must be prepared by an accredited assessor in accordance with Part 6, Division 3 of the Biodiversity Conservation Act and the conditions of accreditation (Section 19 of the Accreditation Scheme Order 2017).</p> <p>References:</p> <ul style="list-style-type: none"> • BAM • guides, tools and databases • BAM tools and resources. <p>As an accredited assessor, you must act professionally and are required to conduct yourself in accordance with the <i>Code of conduct</i>.</p>	<p>Expectations of accredited assessor’s behaviour and professional conduct are provided in the ‘Ensuring compliance with the <i>Code of conduct</i>’ table.</p> <p>Quality assurance of a BAR is a process that should be established and maintained by the accredited assessors and their employer or company.</p> <p>The role of the accredited assessor includes:</p> <ul style="list-style-type: none"> • professional conduct and behaviour • documenting version control • listing contributors to a BAR, including details of each contributor’s role such as lead author and certifier • controlling access and supervising use of BAM-Calculator (BAM-C) for training purposes • completing quality assurance checklists • ensuring competency of staff and contractors (e.g. qualifications, expertise and experience)

Managed by who	Key documentation	Description	Accredited assessor responsibilities
	Biodiversity Assessment Method (DPIE 2020a) (BAM)		<ul style="list-style-type: none"> identifying and effectively managing any conflicts of interest, including a documented process and register maintaining completed field survey records that inform development of the BAR, such as survey sheets from BAM plots, targeted surveys, weather conditions.
Statutory decision-maker review of a submitted BAR (local and state government)			
Statutory decision-maker /consent authority (or delegate)	<i>Environmental Planning and Assessment Act 1979</i> Part 5 Division 2 Biodiversity Conservation Act	The statutory decision-maker review process is a process under the Environmental Planning and Assessment Act for development applications and planning proposals; or under Part 5, Division 2 Biodiversity Conservation Act for approval of Biodiversity Stewardship Agreements.	When certifying a BAR to submit to a consent authority, an accredited assessor must meet the minimum requirements set out in the BAM Appendix K to M for BARs.
The department	Accredited assessors complaints and feedback management policy (DPIE 2020b) (the policy)	A statutory decision-maker that receives a BAR has the power to review, or have reviewed, the content of the BAR, and request further information or modifications before approving (or otherwise) the proposal to which the BAR relates.	Templates have been created to assist accredited assessors with the consistent and complete preparation of a BAR:
Local council	Biodiversity Assessment Method (DPIE 2020a) (BAM)	A statutory decision-maker that receives a BAR has the power to review, or have reviewed, the content of the BAR, and request further information or modifications before approving (or otherwise) the proposal to which the BAR relates. A statutory decision-maker may lodge a complaint or feedback (positive or negative) with the department in accordance with the policy.	<ul style="list-style-type: none"> Biodiversity Assessment Report templates Mandatory Biodiversity Stewardship Site Assessment Report (BSSAR) and management plan templates.

Managed by who	Key documentation	Description	Accredited assessor responsibilities
Compliance and feedback process (the department)			
The department	Accredited assessors complaints and feedback management policy (DPIE 2020b) (the policy)	<p>As outlined by the NSW Ombudsman, complaints are important public and customer feedback that can help organisations, programs and people to continuously improve service delivery and the way they engage with their public and customers.</p> <p>The process for each complaint or feedback relating to an accredited assessor is reviewed in accordance with the policy.</p> <p>A person making a complaint or feedback should have first-hand experience of the incident or the matter that is subject to the complaint, or be able to provide clear evidence.</p> <p>The policy covers complaints and feedback about an accredited assessor that is related to:</p> <ul style="list-style-type: none"> • applying the BAM • preparing a BAR • the <i>Code of conduct</i> for accredited assessors • any other condition of accreditation. 	<p>Section 4.2 of the policy details generalised steps for managing complaints and feedback.</p> <p>The department holds a confidential internal register with restricted access for the purpose of recording complaints and feedback.</p> <p>Complaints/feedback are reviewed and those considered in scope of the policy are progressed and logged in the register.</p> <p>Information regarding complaint/feedback on accredited assessor behaviour and/or BAR quality can be provided by:</p> <ul style="list-style-type: none"> • a statutory decision-maker who has completed the BAR review process • clients, that is, people who have contracted an accredited assessor to carry out the BAR and BAM assessment work • members of the general public and other consultants who may give feedback, provided they have the appropriate supporting information • consultants who may provide feedback about a government reviewer who is an accredited assessor.

Managed by who	Key documentation	Description	Accredited assessor responsibilities
Audit process (the department)			
The department	<p>Section 20 Accreditation Scheme Order 2017 – Auditing of biodiversity assessment reports and conduct</p> <p>Accredited assessors complaints and feedback management policy (DPIE 2020b) (the policy)</p>	<p>Audits can be conducted by the department in accordance with Section 20 of the Accreditation Scheme Order 2017, which may include either:</p> <ul style="list-style-type: none"> • compliance by an accredited person with the conditions of their accreditation • BARs prepared by an accredited person • the application of the BAM by an accredited person. <p>Audits are one of the tools used to ensure the quality of BARs prepared by accredited assessors and can capture the full range of accredited assessor activities and reports under the scheme.</p> <p>Audit outcomes will be used to:</p> <ul style="list-style-type: none"> • improve the operation of the scheme • inform key target areas for content improvement in the training program 	<p>The department will finalise an audit protocol which will form part of this framework for future audits to be conducted.</p> <p>Types of audits may include:</p> <ul style="list-style-type: none"> • accreditation audits – audits of accreditation conditions • routine audits – audits of BARs • themed audits – audits of specific themes/issues • conditional audits – audits of a BAR and/or accreditation conditions as an outcome of a high-level accreditation action being imposed (that is, variation or suspension). <p>Outcomes of any audits will be recorded and filed with the individual accredited assessor personal records for future consideration at accreditation renewal and any accreditation action decisions (if applicable).</p>

Managed by who	Key documentation	Description	Accredited assessor responsibilities
<ul style="list-style-type: none"> inform individual accredited assessors of key areas for improvement and non-compliance inform any individual accredited assessor of accreditation action decisions relating to audit outcomes and/or complaints or feedback received. 			
Formal compliance investigation for alleged breach under Biodiversity Conservation Act (the department)			
The department	<p>Section 13.10 Biodiversity Conservation Act</p> <p>Accredited assessors complaints and feedback management policy (DPIE 2020b) (the policy)</p>	<p>Under section 13.10 of Biodiversity Conservation Act, it is an offence to provide false and misleading information (e.g. omitted threatened species records) within a certified BAR.</p> <p>When a complainant alleges false or misleading information has been provided by an accredited assessor, or other potential breaches under the Biodiversity Conservation Act have occurred, a formal compliance investigation may be initiated.</p> <p>Complaints or feedback that trigger such an investigation may result in both an accreditation action outcome and potential monetary fines.</p>	<p>These types of complaints or feedback must be referred to an authorised officer under the Biodiversity Conservation Act to investigate.</p> <p>The department has an internal referral process to refer these types of matters to the department's Compliance and Regulation team to assess whether a formal compliance investigation should be initiated.</p> <p>A copy of all available information relating to the matter will be provided to the department's Compliance and Regulation team.</p>

Accreditation actions available to the department

Table 3 Complaints and feedback action process – accreditation actions under the compliance and assurance framework

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>Low action</p> <p>Record only</p>	Section 4.6 – Standard accreditation actions	<p>Low-level accreditation actions are used to provide a record for future investigation or provide intelligence for the broader management of the Biodiversity Offsets Scheme (the scheme).</p> <p>Minimum low-level accreditation action includes:</p> <ul style="list-style-type: none"> Complaints and feedback are reviewed and those considered in scope of the policy are progressed and logged in the register. 	<p>Low-level actions:</p> <ul style="list-style-type: none"> Record of all in-scope complaints and feedback will be held for future reference in the register. Any unjustified complaints and feedback are held in the register for future reference and made available to the scheme’s Compliance and Assurance team and the Biodiversity Assessment Method (BAM) Accreditation team.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>Moderate action</p> <p>Official advisory letter</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Replaces ‘Official reminder’ letter noted in the policy</p>	<p>Moderate-level accreditation actions are to be used in response to complaints and feedback about a Biodiversity Assessment Method (DPIE 2020a) (BAM) assessment or Biodiversity Assessment Report (BAR), or reports of unprofessional conduct and behaviour not consistent with accreditation conditions and the <i>Code of conduct</i>.</p> <p>BAR quality or <i>Code of conduct</i> issues may be resolved or improved by utilising best practice methods.</p> <p>Moderate-level accreditation actions may include:</p> <ul style="list-style-type: none"> • issue an official advisory letter • a face-to-face meeting to discuss BAR non-compliance matter or professional conduct and behaviour issues • offer voluntary attendance at additional BAM-related training • specific advice on applying a section of the BAM or use of a supporting guideline. 	<p>Moderate-level actions:</p> <p>An official advisory letter will be issued to an individual or group of accredited assessors where a breach has been identified but it is not considered a compliance issue (that is, a breach under the Biodiversity Conservation Act).</p> <p>Official advisory letters can include:</p> <ul style="list-style-type: none"> • reference to better or best practice in applying the BAM • highlighting changes to the BAM, supporting guidelines or data that occurred during the preparation of a BAR and were not adequately considered. <p>Example scenarios where an advisory letter may be issued include (but are not limited to):</p> <ul style="list-style-type: none"> • BAR not meeting minimum requirements • not referencing BAM or relevant guidelines • unprofessional behaviour not in line with the <i>Code of conduct</i> • unmanaged probity issue • lodgement of an invalid BAR to a statutory decision-maker • to remind accredited assessors of appropriate professional conduct and behaviour aligning with <i>Code of conduct</i>.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>High action</p> <p>Official warning letter</p> <p>Repeat issues or high BAR non-compliance</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Section 2.1 – Quality assurance framework for accredited assessors</p> <p>Refer to policy Step 3 – Complaints and Feedback process</p>	<p>To inform an accredited assessor when an investigation of a complaint or feedback investigation has identified the accredited assessor has been non-compliant, or the accredited assessor has presented a repeat pattern of unprofessional behaviour.</p> <p>Consequence</p> <p>The outcome of a warning letter can include a ‘notice of intention’ to apply a higher-level accreditation action:</p> <ul style="list-style-type: none"> • Higher action 1 – vary accreditation (conditional) • Higher action 2 – suspend accreditation (suspension) • Highest action – cancel accreditation (de-accredit) 	<p>High-level actions:</p> <p>The issuance of a warning letter is assessed on the following:</p> <ul style="list-style-type: none"> • risk profile of the identified issue and potential impact • past pattern of behaviour by the accredited assessor • history of previous complaints and feedback and issuance of advisory letters. <p>Example scenarios where a warning letter may be issued include (but are not limited to):</p> <ul style="list-style-type: none"> • past complaints and feedback have been received and were justified • previous advisory letter(s) issued • high-risk non-compliance matter is identified in a BAR • repeated cases of non-inclusion of data, survey methods or maps • not applying the BAM and/or referencing applicable guidance material • certifying a BAR that is invalid, including during the 3-month grace period • repeat pattern of unprofessional conduct such as undeclared or unmanaged probity issues • not complying with the <i>Code of conduct</i>.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>High action</p> <p>Official warning letter</p> <p>Outcome from an audit process</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Section 2.1 – Quality assurance framework for accredited assessors</p> <p>Refer to policy Step 4 – Audit process</p>	<p>The outcome of an audit can inform accreditation actions against an individual accredited assessor relating to an audit and/or complaint(s) and feedback received.</p> <p>Consequence</p> <p>The outcome of a warning letter can include a ‘notice of intention’ to apply a higher-level accreditation action:</p> <ul style="list-style-type: none"> • Higher action 1 – vary accreditation (conditional) • Higher action 2 – suspend accreditation (suspension) • Highest action – cancel accreditation (de-accredit) 	<p>High-level actions:</p> <p>The issuance of a warning letter is assessed on the following:</p> <ul style="list-style-type: none"> • outcomes from any audit(s) • subsequent complaint and feedback that an audit recommendation has not been actioned • risk profile of audit recommendation(s) and nature of the complaint and feedback received.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>High action</p> <p>Official warning letter</p> <p>Complaint and feedback referred to the department's Compliance and Regulation team – involving alleged breach under the Biodiversity Conservation Act</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Section 2.1 – Quality assurance framework for accredited assessors</p> <p>Refer to policy Step 5 - Formal compliance investigation</p>	<p>When a complainant alleges false or misleading information has been provided by an accredited assessor, or other potential breaches under the Biodiversity Conservation Act have occurred, a formal compliance investigation may be initiated.</p> <p>These types of complaints and feedback must be referred to an authorised officer under the Biodiversity Conservation Act to investigate.</p> <p>Consequence</p> <p>Complaints and feedback that trigger such an investigation may result in both an accreditation action outcome and potential monetary fines.</p>	<p>High-level actions:</p> <ul style="list-style-type: none"> • Potential breach of the Biodiversity Conservation Act will be formally referred to the department's Compliance and Regulation team for further investigation to whether the accredited assessor can be prosecuted for actions under the Biodiversity Conservation Act • Other accreditation actions may still be taken in parallel to an investigation of a potential breach under the Biodiversity Conservation Act • Outcomes from the compliance investigation will be provided by the department's Offset programs team.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>Higher action 1</p> <p>Vary accreditation (impose conditions)</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Section 4.7 – Appeal rights</p>	<p>Higher-level accreditation actions will be used in response to more serious matters, such as where an accredited assessor appears to be knowingly providing poor quality or non-compliant work.</p> <p>A variation to an accredited assessor’s accreditation may be applied where a risk to the integrity of the scheme is identified.</p> <p>Variation to accreditation may include:</p> <ul style="list-style-type: none"> • additional conditions on accreditation • a requirement to submit BARs to the department for compliance checks prior to submitting to a consent authority. <p>Natural justice (due process) and appeal rights will be provided to accredited assessors. The order also allows for a ‘notice of intent’ to be issued in writing to an accredited assessor. This allows accredited assessors time to respond to an allegation or proposed accreditation action.</p> <p>The conditioning to vary an accredited assessor’s accreditation may have an impact when seeking re-accreditation.</p>	<p>Circumstances where an accredited assessor’s accreditation may be varied include, but are not limited to:</p> <ul style="list-style-type: none"> • the issuance of a warning letter involving a higher-level accreditation action and will receive a period/term of conditional accreditation • proven in Land and Environment Court case to have lodged a non-compliant BAR, invalid BAR or false and misleading information (e.g. omitted threatened species records) • the issuance of a ‘notice of intent’ to vary (condition) allowing for natural justice and opportunity to respond prior to variation being applied to their accreditation. <p>Where a variation is applied, the accredited assessor will have a condition added to their accreditation requiring their BARs to be reviewed prior to being lodged to the statutory decision-maker.</p> <p>Examples of these conditions include:</p> <ul style="list-style-type: none"> • accredited assessor’s work is to be reviewed by an independent accredited assessor chosen by the department prior to lodging the BAR to the statutory decision-maker • work would need to be deemed compliant with the BAM to proceed to lodgement.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>Higher action 2</p> <p>Suspend accreditation (suspension)</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Section 4.7 – Appeal rights</p>	<p>Higher-level accreditation actions are used in response to most serious matters, such as where an accredited assessor appears to knowingly provide poor quality or non-compliant work.</p> <p>A suspension to an accredited assessor’s accreditation may be applied where a risk to the scheme’s integrity is likely and/or the impact or risk of impact is severe.</p> <p>Accreditation will be suspended for a defined period, and/or the fulfilment of a set requirement, and/or the passing of a set of circumstances.</p> <p>Natural justice (due process) and appeal rights will be provided to accredited assessors. The order also allows for a ‘notice of intent’ to be issued in writing to an accredited assessor. This allows accredited assessors time to respond to an allegation or proposed accreditation action.</p> <p>The suspension of an accredited assessor’s accreditation may have an impact when seeking re-accreditation.</p>	<p>Circumstances where an accredited assessor’s accreditation may be suspended include, but are not limited to:</p> <ul style="list-style-type: none"> • subsequent complaints and feedback are lodged after a conditional period of accreditation • a major issue or non-compliance has been identified during a conditional period of accreditation • repeated pattern of unprofessional behaviour • repeated pattern of not complying with the <i>Code of conduct</i> • failure to declare and/or manage conflicts of interest • undertaking surveys without an appropriate scientific licence • certification of BARs that are not from an accredited assessor holding a current accreditation • repeated errors or omission of significant information in certified BARs • Land and Environment Court case proves that a non-compliant BAR, invalid BAR or false and misleading information was certified and submitted to a statutory decision-maker • criminal charges proven and where the appeal period has lapsed without an appeal being lodged.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
<p>Highest action</p> <p>Cancelled accreditation (de-accredit)</p>	<p>Section 4.6 – Standard accreditation actions</p> <p>Section 4.7 – Appeal rights</p>	<p>The highest-level accreditation action will be used in response to most serious matters, such as where an accredited assessor appears to be knowingly providing poor quality or non-compliant work.</p> <p>The cancellation of an accredited assessor’s accreditation will occur when:</p> <ul style="list-style-type: none"> • there is a significant/high-risk non-compliance detected and/or a breach of the Biodiversity Conservation Act can be proven • when all other accreditation actions have been exhausted and the accredited assessor continues to have significant non-compliance and/or repeated unprofessional conduct and behaviour that is likely to bring disrepute to the scheme or the Minister. <p>Natural justice (due process) and appeal rights will be provided to accredited assessors. The order also allows for a ‘notice of intent’ to be issued in writing to an accredited assessor. This allows accredited assessors time to respond to an allegation or proposed accreditation action.</p>	<p>An accredited assessor's accreditation can be cancelled in various situations, such as, but not limited to:</p> <ul style="list-style-type: none"> • subsequent complaints and feedback are lodged during/after suspension period • the accredited assessor does not meet a set requirement or circumstances during suspension period • major unprofessional conduct, behavioural issue or non-compliance with the BAM during a suspension period • significant or repeated non-compliance with the <i>Code of conduct</i> • significant probity issue is unmanaged, such as holding and dealing in biodiversity credits for personal benefit • significant or repeated ‘false and misleading’ statements • misrepresented as an accredited assessor and lodged a BAR when no longer an accredited assessor (e.g. lapsed) • proven in one or multiple Land and Environment Court cases to have lodged a non-compliant or invalid BAR • criminal charges have been laid or proven against an accredited assessor.

Accreditation action level and action	Relevant section of the policy	Purpose	Accreditation action and example scenarios
		<p>Where an accreditation has been cancelled, the accredited assessor is not eligible for re-accreditation for 10 years. The period can be reviewed by the Environment Agency Head delegate as appropriate.</p>	

References

DPIE (NSW Department of Planning, Industry and Environment) (2020a) 'Biodiversity Assessment Method', DPIE, Parramatta.

DPIE (2020b) 'Accredited assessors complaints and feedback management policy – Biodiversity Assessment Method', DPIE, Parramatta.

More information

- Code of conduct for accredited assessors
- Fit and proper person declaration
- Biodiversity Assessment Method tools and resources, including:
 - Biodiversity Assessment Report templates
 - Mandatory BSSAR and management plan templates
- Biodiversity Conservation Act 2016:
 - Section 6.10
 - Section 13.10
 - Part 5 Division 2
 - Part 6 Division 3
- Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017
- Environmental Planning and Assessment Act 1979
- Accredited Assessor Public Register