



**SOLAR  
ACCREDITATION  
AUSTRALIA**

# **Fit and Proper Person**

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# Accreditation Fit and Proper Person Policy

Version 1 – Published 8 August 2024

## 1. Introduction

SAA is committed to ensuring a high standard of quality, honesty and professional conduct across the renewable energy industry. This policy outlines the ongoing requirements that an Accredited Person must meet to satisfy the provisions of the "fit and proper person" criteria while holding an accreditation with SAA.

As the concept of a 'fit and proper person' is not standard, SAA will consider the following:

- the overall suitability of a person to hold accreditation including the seriousness of previous unacceptable behaviour, repetitive patterns of behaviour, reformed behaviour and any mitigating circumstances.
- the criteria need to be holistic, not rigid, and capable of taking into consideration a person's character, honesty, integrity and reputation.

## 2. Purpose

This policy applies to all Accredited Persons, including applicants applying for accreditation under SAA's Accreditation Scheme. This Policy is designed to:

- a. provide guidance to its employees when assessing whether an Accredited Person is a fit and proper person to hold an SAA accreditation.
- b. provide assurance to consumers by reducing risk of exposure to dishonesty or conduct of a lesser nature that would reasonably be expected of an Accredited Person.
- c. provide guidance to Accredited Persons on how assessments are made to ensure fairness and consistency.

SAA has the right to refuse an application or vary, suspend, or cancel an Accredited Person's accreditation if it is not satisfied that the Accredited Person is a fit and proper person. However, procedural fairness and natural justice will be applied when assessing an Accredited Person's status as a fit and proper person to hold accreditation.

## 3. Assessment

When SAA is assessing an Accredited Person's status as a fit and proper person to hold the accreditation, it may do so through either 'automatic show cause events' or 'reportable show cause events'. The following factors will be taken into account:



Automatic Show Cause Events	Reportable Show Cause Events
<p>Whether the Accredited Person has engaged in misconduct of a high degree of seriousness that may cause death or injury to a person, significant damage to property or is a serious risk to public safety.</p>	<p>The Accredited Person’s professional history, including whether there has been:</p> <ul style="list-style-type: none"> <li>a) any fraudulent behaviour;</li> <li>b) reports of non-compliant work that has not been rectified;</li> <li>c) any adverse finding in any Court or Tribunal relating to accreditation or works completed under their accreditation; or</li> <li>d) worked performed outside the scope of the Accredited Person’s accreditation.</li> </ul>
<p>Has the Accredited Person had an electrical workers licenced cancelled, suspended or restricted?</p>	<p>The Accredited Person’s reputation and character, including consideration of the following:</p> <ul style="list-style-type: none"> <li>a) any failure to comply with any legal, regulatory or professional requirements;</li> <li>b) any obstructive, misleading or untruthful dealings with SAA or any other regulatory body;</li> <li>c) complaints of a serious nature made against the Accredited Person;</li> <li>d) reports of negligent, misleading or deceitful business or professional practices;</li> <li>e) unethical behaviour towards consumers or other Accredited Persons; or</li> <li>f) failure to cooperate with or acting in a threatening way to SAA’s staff.</li> </ul>
<p>Has the Accredited Person had their public liability cover cancelled or refused?</p>	
<p>Has the Accredited Person been convicted of an offence punishable by a term of imprisonment of two year or more?</p>	
<p>Has the Accredited Person been convicted of a fraud or dishonesty offence?</p>	



Following the above criteria, further assessments will be taken into consideration, including:

- 1) **Circumstances:** looking into the cause of the action being taken, the nature of the offence and when it occurred and, any penalty imposed.
- 2) **Seriousness:** looking into the impact of the conduct on any victim/community/SAA staff members/renewable energy industry, whether there was any injury sustained or any significant damage to property, whether the conduct involved fraud or honesty, whether the conduct involved violent or threatening behaviour and whether the Accredited Person committed an indictable offence.
- 3) **Time:** looking into whether the behaviour has been repetitive, or it was an isolated incident, whether the offense was disclosed to SAA by the Accredited Person and, whether the circumstances which contributed to the offence been removed or are no longer relevant.
- 4) **Reformed Behaviour:** determining whether the Accredited Person has taken steps to address the offense, shown an understanding of the significance of the offense, taken any training to prevent recurrence, been cooperative and forthcoming in declaring previous adverse behaviour and, shown remorse and a commitment to improve.

## 4. Procedural Fairness

An Accredited Person will be notified in writing within 10 business days of any decision and the reasons for the decision with respect to their status as a fit and proper person to hold accreditation. The notification will include information on the right to appeal the decision and the process for doing so.

## 5. Right to Appeal

A decision to reject an application or cancel accreditation based on an assessment that an Accredited Person is not a fit and proper person to hold accreditation may be appealed by the Accredited Person by submitting a Request for Appeal within 7 business days from the date of decision notification.