

Building Consents Authority Complaints Policy

Policy Owner:	Building Quality Manager
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Required by legislation:	Building (Accreditation of Building Consent Authorities) Regulations 2006

1 Introduction

- 1.1 Waikato District Council (Council) is registered and accredited to carry out work as a Building Consent Authority (BCA) and, as such, under Regulation 7(2)(h) the BCA is required to have a BCA Complaints Policy. All complaints are taken seriously, and every effort will be made to resolve the issue(s). All comments will be used as an opportunity to learn and improve services.

2 Purpose

- 2.1 The purpose of this policy is to explain:
- What constitutes a complaint (for the purposes of the BCA);
 - The principles that will be applied when dealing with complaints and suggestions.

3 Application

- 3.1 This policy applies to the Waikato District Council BCA, and specifically to complaints and suggestions that relate to the Waikato District Council BCA functions.
- 3.2 Local Government Official Information and Meetings Act (LGOIMA), Privacy, and Ombudsman requests are managed under the relevant legislation.

4 Guiding Principles

- 4.1 The BCA will ensure that:
- Investigations will be undertaken in a way that ensures objectivity and fairness to all parties;
 - Complaints will be prioritised according to risk and urgency;
 - Complaints will be responded to as quickly as possible by the most appropriate method. Either a full response will be made within two working days, or an acknowledgement will be sent. If the issue needs more time, we will let you know and keep you updated;
 - Remedies will be proportionate to the issues raised;
 - Complaint records will be kept and will cover:
 - details of the investigation,

- the outcome (e.g. whether the complaint is upheld, action taken, apology, or reason why the Council is unable to assist), and
- information on the right of further redress and escalation if the customer remains dissatisfied.

5 Complaints

5.1 For the purposes of the BCA process, a complaint is an expression of dissatisfaction by one or more BCA customers about the BCAs. A complaint is defined when a customer informs the Council that they are not happy with the:

- a) The standard of service provided by or on behalf of the BCA; and/or
- b) Failure of the Building Team to do something required by statute or that it had agreed to do (for example exceeding statutory timeframes for processing building consents or not meeting published service levels); and/or
- c) The way they have been treated; and/or
- d) Action or lack of action; and/or
- e) Decision.

5.2 Some situations will not be considered under this process, for example:

- a) Complaints that constitute a disagreement with, or refusal to accept matters that the BCA is obliged or required by statute to apply; and
- b) Complaints where another formal process has been commenced.

5.3 A complaint is not:

- a) A request for routine services, however, a complaint may result in a request for service;
- b) A request for readily available information;
- c) Allegations against a contractor or staff member for serious misconduct;
- d) Matters for which there is a right for appeal and/or legal remedy.

5.4 If your issue is regarding a decision made by us about your building consent, please refer the matter to the Ministry of Business, Innovations and Employment (MBIE) for a Determination: www.building.govt.nz/resolving-problems/resolution-options/determinations

5.5 Every effort will be made to resolve an issue as quickly as possible at the first point of contact. If the issue cannot be resolved at the first point of contact, then it will be managed in accordance with this policy.

6 Policy statements

- 6.1 The BCA is committed to the delivery of quality services to meet the needs of its customers in line with its responsibilities as a BCA and Waikato District Council's values.
- 6.2 The BCA welcomes feedback from customers as this provides opportunities for learning and improving services. We want to hear from you if you feel dissatisfied with any part of our service related to Building Consent processing or Inspection and issuing Code Compliance Certificates.
- 6.3 Learning from our mistakes is an important part of our continuous improvement. The BCA will always try to resolve complaints in a fair, timely and confidential manner in order to achieve positive outcomes for both customers and staff.
- 6.4 Complaints that fall outside the scope of the responsibilities of a BCA will be passed to Council as a Territorial Authority for investigation and action. BCA complaints relate to an

active building consent, specifically, after an application has been made and prior to receiving a code compliance certificate.

- 6.5 All complaints will be investigated and dealt with in confidence, consistent with the needs of the investigation. To enable the BCA's policy and procedures to be adequately reviewed and revised, monitoring of compliance will be undertaken by Council's Building Quality Manager. The information will be used to monitor BCA performance, highlight areas of failure and feed into the continuous improvement process.

7 Policy review

This policy shall be reviewed at three yearly intervals or as otherwise required by the Building Quality Manager or General Manager, Customer Support.