

POLICY	STATUS	BY	DATE	DOC ID
<i>Building Control Authority Complaint Policy 2022</i>	<i>Approved</i>	<i>Planning and Regulatory Manager</i>	<i>15/09/2022</i>	<i>A305642</i>



OPOTIKI DISTRICT COUNCIL

Building Control Authority Complaint Policy 2022

Introduction

The purpose of this document is to detail what the Ōpōtiki Building Control Authority (BCA) will do when it receives a complaint. This document outlines:

- How to make a complaint;
- Responsibility for dealing with complaints;
- Definition of a complaint;
- The complaint management procedure;
- The monitoring and review of complaints overall.

How to make a complaint

Complaints to the BCA must be made in writing, either by letter or by email.

Letters should be addressed to:
Planning and Regulatory Group Manager
Ōpōtiki District Council
PO BOX 44
108 ST JOHN STREET
Ōpōtiki

Emails should be sent to building@odc.govt.nz and marked for the attention of the Planning and Regulatory Group Manager.

Responsibility for dealing with complaints

The Planning and Regulatory Group Manager is responsible for the effective and consistent functioning of the BCA's complaints process, including prioritising complaints.

Complaints will be handled with discretion and in accordance with the Opotiki District Council's privacy policy.

Definition of a complaint

Complaints must be about our performance of building control functions including:

- meeting statutory timeframes;
- lodgement or vetting of building consent applications;
- processing of building consent applications;
- building inspections;
- issuing a notice to fix;
- issuing code compliance certificates;
- issuing compliance schedules;

- failure to give appropriate information or advice;
- fees and charges; and
- failure to meet legislative or Building Code requirements.

Information that is required includes:

- the date the incident occurred;
- what the complaint is about; and
- copies of any supporting information.

Complaint Management Procedure

When a complaint is received, the following procedure will apply:

- a) The details will be entered into the BCA Complaints Register.
- b) We will then follow a procedure (similar to the processing of a Building Consent), where initial vetting of the complaint will be completed within the first 48 hours and a formal acknowledgement of the complaint provided to the complainant either by letter or email. Preferably, the complaint will be able to be resolved at this point, if the parties involved can agree to a suitable remedy.
- c) The initial assessment will determine whether a more in-depth or technical assessment of the complaint is required. The technical assessment of the complaint will determine:
 - i. Stakeholders who need to be interviewed or involved (including insurance or liability providers);
 - ii. Whether follow-up meetings with the complainant or site inspections are required;
 - iii. Whether escalation within ODC or to an external party is required (e.g. CE office or [MBIE](#)) to ensure objectivity and fairness;
 - iv. What a complaint resolution proportionate to the issues raised will constitute;
 - v. Whether time urgency for resolution is a factor, or, alternatively, if a longer time frame for resolution is required.
- d) A decision on the complaint resolution will be provided within 20 working days of the complaint being lodged. The reasons for the decision will be documented and provided to the complainant in writing.
 - i. The decision will also provide detail on the other avenues the complainant has available if they are not satisfied by the outcomes of the BCA process, including referral of the complaint to the [Office of the Ombudsman](#) or an appropriate authority (e.g. [MBIE](#)).
 - ii. Summary of the complaint will be included on the property file.

Monitoring and Review

The Complaints Register is reviewed monthly as part of the BCA's operational management meeting.