

# G10 Complaints

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### 1. BACKGROUND

Regulation 7(1) of the Building (Accreditation of Building Consent Authorities) Regulations 2006 requires that a BCA must have policies and procedures for performing its building control functions. Regulation 7(2)(h) requires that the policies and procedures must cover receiving and managing complaints about building control functions. This guide sets out that procedure. The procedure is part of ORC’s procedure for continuous improvement (see M05) required under Regulation 17(2)(e) as it is a means of identifying and acting on improvement opportunities. It is also part of the procedure for complying with Regulation 17(3A).

Section 216 of the Building Act 2004 requires ORC to keep information about buildings and requires ORC to keep reasonably available any information that is relevant to the administration of the Act.

Section 216(2)(e) and (f) require that the information to be kept includes a summary of written complaints received by ORC concerning alleged breaches of the Act (or the Building Act 1991); and information on how ORC dealt with each of the complaints.

Section 216(3) requires ORC to keep this information for at least for 10 years from when each complaint was received by ORC.

### 2. WHAT IS A COMPLAINT?

A complaint can be received in writing (including email) or received verbally. It could be made by an applicant, agent, owner, member of the public or other RA. A complaint could be received about any alleged breach of the Act, and could involve external parties and/or ORC and/or contractors of ORC. A complaint may also be made concerning practitioners working for the applicant or working for the BCA.

### 3. COMPLAINT PROCESS

#### Process: Complaints



### Process description for Complaints

Task	Notes	Record created
Receive and log complaint	<p>A complaint received by ORC will be forwarded to the Manager Consents.</p> <p>Manager Consents will direct the complaint to the appropriate person for follow-up (as below).</p>	<p>Written complaint saved into Objective in the complaints folder. Verbal complaint shall be recorded in a File Note saved into Objective.</p> <p>Where the complaint is specifically in relation to a Building Consent or application, a copy of the complaint, investigation notes and correspondence shall <u>also</u> be saved into the project folder in Objective.</p>
Investigate	The person managing the complaint will make such investigations as required.	As above.
Response	The person responsible for managing the complaint shall write to the complainant advising the outcome of their investigation of the complaint. If relevant, they will inform them that the Act has a Determination process.	<p>As above for a specific complaint.</p> <p>Updated complaint folder within Objective.</p> <p>Any outward correspondence saved into Objective.</p>
Complaint concerning Practitioners	Practitioners are consultants working for the applicant or on behalf of the BCA	<p>Written complaint saved into Objective in the complaints folder. Verbal complaint shall be recorded in a File Note saved into Objective.</p> <p>Follow up with complaint to Professional body (e.g. IPENZ)</p>

## 4. COMPLAINT MANAGEMENT

Complaints will be managed as follows:

Nature of complaint	Responsibility for management
The ORC's fees and charges policy	Director Corporate Services
Fees and charges invoiced for any particular application or activity	Director Corporate Services
Time taken to make a decision on an application	Director Policy Planning & Resource Management
The decision taken by ORC on any application	Director Policy Planning & Resource Management
The performance of the Lead Consultant, or any subcontractor used by them	Manager Consents
Performance of a staff member other than the Director Policy Planning and Resource Management or Director Environmental Engineering and Natural Hazards	Director Policy Planning & Resource Management/Manager Consents
Performance of the Director Policy Planning and	Chief Executive

Resource Management or Director Environmental Engineering and Natural Hazards	
Any matter raised by a transferring regional authority relating to ORC's compliance with a transfer agreement	Director Policy Planning & Resource Management /Manager Consents
Any other matter not listed above	Director Policy Planning & Resource Management/Manager Consents
The work of any professional who is not a lead consultant or any subcontractor used by them	Director Policy Planning & Resource Management/Manager Consents
Complaints concerning Practitioners	Director Policy Planning & Resource Management/Manager Consents

## 5. REVIEW

The Manager Consents will review complaints managed as part of the operational management review (M05) and propose any actions that ORC should consider to improve Building Act compliance and customer service. This review forms part of compliance with Regulations 17(2)(e), 17(5)(b) and 17(3A).