

Building Consent Authority (BCA) Complaints Policy

Horowhenua District Council is a registered and accredited Building Consent Authority (BCA) and as such is required to have a publically available complaints policy in relation to building consenting functions.

The purpose of this policy is to provide an effective complaints process for customers and to ensure complaints are investigated in a fair and objective manner. It sets out the process for enabling, recording of and responding to complaints.

Horowhenua District Council's BCA is committed to providing high quality building consenting services. Customer complaints are considered to be a useful source for identifying opportunities for improving our service.

The Consents Manager is the person nominated to ensure effective and consistent functioning of the BCA complaints process.

For the purposes of this policy a complaint can be defined as:

- Expressed dissatisfaction with the service provided, building consenting processes or professional standards.

Instances where a customer makes an enquiry about, or raises questions, regarding the service or policies and the matter is resolved at the first point of contact will not be considered to be a complaint under this policy.

How to make a complaint:

Complaints may be provided in any form, including but not limited to:

- Mailed in the form of written feedback
- Emailed in the form of written feedback
- Orally dictated to a staff member
- Face to Face in the form of written feedback, or dictated to a staff member
- Online form
- Social media

Anonymous complaints will be accepted, although if your complaint is anonymous we will not be able to contact you to acknowledge your complaint or inform you about the outcome.

Please include as much information as possible with your complaint, including the building consent number (if applicable), the address to which the complaint relates and any other relevant details.

What you can expect once you have made a complaint:

1. Your complaint will be referred to the Consents Manager in the first instance who will decide whether your complaint needs to be prioritised as urgent.
2. The Consents Manager will ensure your complaint is managed with the appropriate level of objectivity and fairness to all parties.
3. If your complaint is considered to be an urgent matter, you will be contacted within 1 working day.
4. If your complaint is not considered to be urgent, you will receive an acknowledgement email or phone call within 3 working days.

5. Your complaint will be investigated and this will be documented in a register. You may be contacted and asked to provide more information to assist with the investigation of the complaint.
6. You will receive confirmation regarding the outcome of your complaint within 5 working days.
7. In cases where the investigation is likely to take longer than 5 working days, you required you will be provided with an update within this timeframe.
8. The complaint will be discussed at the monthly meetings of the BCA team to review the effectiveness of procedures and identify potential opportunities for improvement. Your personal details will be withheld from these discussions.

Potential resolution for complaints:

Resolutions for complaints are developed on a case-by-case basis and will depend on the nature of your complaint and the outcome of the investigation.

In some cases a decision may be made that the complaint is not justified and no action will be taken. In other cases your complaint could lead to a change in our procedures.

If your complaint relates to the conduct of a staff member it may be resolved through employment processes, in which case you will be informed that the complaint has been resolved, but no further details will be able to be provided.

What to do if you disagree with the outcome or resolution of your complaint:

If you are unhappy with the outcome of your complaint and your complaint is in relation to a technical decision made either during the processing or inspection of your building work, you can request a determination from the Ministry of Business, Innovation and Employment (MBIE).

A determination is a binding decision made by the Ministry of Business, Innovation and Employment (MBIE). It provides a way of solving disputes or questions about the rules that apply to buildings, how buildings are used, building accessibility, health and safety.

<https://www.building.govt.nz/resolving-problems/resolution-options/formal-complaints/complain-about-a-building-consent-authority/>

If your complaint relates to matters other than technical decisions you can request a review of the decision, in which case the matter will be referred to the Chief Executive.