

Building Consent Authority complaints policy

External

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About Our Policy

Grey District Council Building Consent Authority (BCA) is committed to the delivery of quality services for our customers. We welcome feedback through suggestions, comments, and complaints about service experience. Feedback gives us the opportunity to learn and improve our services.

The purpose of this policy is to provide a fair and effective complaints process for customers, and to ensure complaints are investigated in an objective manner. This policy applies specifically to matters relevant to building control functions.

This policy has been established to meet the requirements of Regulation 7(2)(h) of the Building (Accreditation of Building Consent Authorities) Regulations 2006, which requires Building Consent Authorities to have a system for receiving and managing complaints relating to building control functions.

The policy describes how the Building Consent Authority will enable, record and respond to complaints.

What is a complaint

For the purpose of the BCA process, we define a complaint as a dissatisfaction that cannot be resolved at first point of contact. The first point of contact is the person who receives the information about the issue.

Issues may include:

- the standard of service you have received,
- a failure in our processes or procedures,
- the way you have been treated,
- a raised issue that has not been resolved.

Where these situations cannot be resolved with a phone call, email, or conversation, a formal written complaint may be warranted.

A complaint does not include a disagreement with a technical or statutory decision that the BCA is required to make under the Building Act 2004. Such matters may be referred to MBIE through the determinations process.

Requests made under the Privacy Act 2020, the Local Government Official Information and Meetings Act 1987 (LGOIMA), or complaints to the Ombudsman are managed through separate statutory processes and are not dealt with under this policy.

Complaint Process

What you can expect when you lodge a complaint.

When a complaint is received it is acknowledged and entered into Council's service request tracking system. The complaint will be assigned to the Building Control Manager and given a reference number.

We will acknowledge receipt of the complaint within 5 days and provide the reference number to the customer.

Investigation

Complaints will,

- be considered with objectivity, impartiality, and sensitivity and,
- prioritised according to risk and urgency.

Where practicable, complaints will be investigated by a staff member who has had no direct involvement in the matter that is the subject of the complaint.

Further information may be requested if the complaint is complex in nature.

Responding to complaints

We will initiate remedies proportionate to the issues raised, and in all cases endeavour to provide an outcome within 28 working days of the complaint being lodged.

Where a complaint cannot be resolved within 28 working days, we will communicate with the complainant to explain the reason and advise the expected time for resolution.

Escalation

Most complaints are resolved quickly and simply. Occasionally a complainant may disagree with the resolution. If the complainant remains dissatisfied after the Building Control Manager's review, the complaint will be escalated to the Group Manager Economic Development and Regulatory Services. If further escalation is required, the complaint will be escalated to the Chief Executive.

Monitoring and review

The complaints register is reviewed monthly by the BCA team, and this will include monitoring of compliance with the policy.

Records of all formal complaints, investigations, outcomes and corrective actions will be maintained in Council's records management system.

How to make a complaint

Complaints need to be submitted in writing to the BCA through one of the following methods:

- Complete and submit the online feedback form (link: <https://www.greymdc.govt.nz/01online-services/do-it-online/give-us-feedback/general-feedback?ed-step=1>)
- Email to: info@greymdc.govt.nz
- Send a letter to: Grey District Council, PO Box 382, Greymouth 7840 (attention: BCA Manager)

A complaint needs to contain:

- A description/explanation of the complaint,
- your contact information,
- details of the property and building consent and/or,
- names of the people involved.

Please include as much information as possible in your complaint.

Unreasonable Conduct

The Building Consent Authority will not accept unreasonable behaviour towards our staff, such as:

- Harassment
- Bullying
- Discrimination
- Aggressive behaviour
- Abusive behaviour, verbal or otherwise

If staff handling a complaint consider that behaviour is unreasonable, they will advise the individual and provide the reason(s) for this assessment. Where staff are unable to complete an investigation because of unreasonable behaviour they may suspend the investigation until behaviour improves.

Should a complainant disagree with the suspension, they can escalate this through the standard stages of this Building Consent Authority complaints policy.

The BCA may decline to investigate a complaint where the matter has already been investigated and resolved; insufficient information has been provided to enable investigation; the matter falls outside the scope of the BCA's building control functions; or another statutory or legal process is already underway.

If the decision is that the complaint will not be investigated, the staff member will confirm this to the complainant in writing and state the reasons why. If the complainant disagrees with this decision, they retain their right to escalate their complaint to the next stage.

Complaints not able to be resolved by the BCA

Some technical matters may not be able to be resolved by the BCA. In these cases, an application to the Ministry of Business, Innovation and Employment (MBIE) for a determination may be appropriate.

Information on this process can be found on [MBIE's determinations webpage](#).

For non-technical matters unable to be resolved with the BCA, complaints can be lodged with MBIE also.

Information on this process can be found on [MBIE's Formal Complaints webpage](#).