

# Building Consent Authority Compliments and Complaints Policy

Policy owner	Building Consents Manager
Group	Planning & Regulatory Services –Building Consent Authority
Approval date	20 Apr 2022
Version	5
Review date	31 May 2024

## 1. Policy Statement

The Building Consent Authority (BCA) at Hastings District Council is committed to the continual improvement of service. We value customer feedback and we endeavour to deliver the services of the BCA within a timely and professional manner.

## 2. Background

The Council performs the functions of a Territorial Authority (TA) and BCA under the Building Act 2004. This includes investigating complaints relating to building control activities and alleged breaches under the Act and associated regulations.

The Building Consents Manager is the nominated person responsible for the effective and consistent function of the BCA's compliment and complaint process.

## 3. Purpose

The purpose of this Compliments and Complaints policy is to:

- Define what a compliment and complaint is
- Outline the process that is undertaken when the BCA deals with a Compliment or Complaint
- Outline the service standard relating to complaints

## 4. Scope

This policy applies to the BCA at Hastings District Council and relates to Compliments and Complaints.

Complaints may relate to any of Council's functions as a BCA or TA, and may be about other related matters such as:

- Performance issues relating to Council's procedures, staff, or quality of service, or the failure of the BCA to carry out its statutory functions
- Where the BCA has identified that a professional, licensed building practitioner, Plumber and or Drainlayer has acted in an incompetent and/or negligent manner and/or carried out unauthorised building work.

The policy does not apply to enquiries or concerns raised with staff that are resolved immediately.

## 4.1. Interpretation

A **compliment** is:

- A written or verbal expression of praise or commendation for a job well done or where the service provided exceeds the expected standards.

A **complaint** is something considered to be unsatisfactory or unacceptable.

Examples of a complaint are, but not limited to:

- an allegation regarding Council activity that may be contrary to the Building Act 2004, its policies, procedures or functions
- concerns or a complaint about professional standards
- an allegation regarding Councils assessment, processing or inspection , of a building consent, Compliance Schedule, Certificate of Acceptance or associated application processes, including associated fees and charges.

## 4.2. Limitations

A complaint under this policy is **not**:

- an **enquiry**, or question regarding council policies, management, service or regulations that can be addressed directly by the relevant staff. An enquiry may become a complaint if the customer is dissatisfied with the service provided
- a dispute about development and/or financial contributions
- a **request for service** - for example reporting an issue requiring maintenance
- a dispute regarding the statutory requirements under the Building Act 2004.

Council sometimes encounters situations where the proper implementation of the Building Act 2004 or a Council policy or procedure is criticised, and/or a complaint alleging poor performance is submitted. Where it becomes clear this is the case, the issue will be addressed (in whole, or in part) as a policy matter.

# 5. Service Standards, Process and Principles

- The BCA maintains a register of all compliments and complaints made relating to buildings and its role as a Building Consent Authority and is required by the Building Act to keep the following information for at least ten years, including:
  - a summary of written complaints received concerning alleged breaches of the Building Act; and
  - information on how Council dealt with each complaint.
- Compliments will be shared with staff and reported to management
- Complaints will be prioritised as follows:
  - Urgent complaints will be assigned to a senior staff member for review within 2 working days. Danger to public and property complaint responses need to be made within 24 hours.
  - High, Medium and Low complaints will be assigned an appropriate staff member for investigation within 3 working days
- All complainants will be sent an acknowledgement letter / email within three working days of lodgement
- All complaint investigations will start within 10 working days of lodgement; complaints that require urgent investigation will be investigated as a priority by the Planning and Regulatory Services Compliance Team
- The BCA and Compliance Team will use its best endeavours, using all of its statutory powers and functions, to resolve all complaints.

- Fairness is a fundamental principle, both to those making complaints and those who are the subject of a complaint. All individuals involved will be treated fairly and objectively.
- During the investigation of the complaint the officer may recommend appropriate remedies/actions proportionate to the issues raised.
- Complaints involving or alleging staff misconduct will be handled in accordance with Council employment policies and obligations under law.
- If, after investigation the complaint has not been successfully resolved, the Group Manager Planning and Regulatory Services and the Building Consents Manager must be informed.

## 6. Channels for reporting a compliment or complaint

Compliments and complaints should preferably be made in writing, but can be made verbally. The channels for reporting include:

- Completing a complaint form online
- Calling the Council contact centre and requesting the matter is logged for review
- Emailing Council's customer service team or Building Team Leader/ Manager/Group Manager
- Posting a letter to Council
- Contacting an elected representative.

