

POLICY	STATUS	BY	DATE	DOC ID
<i>Building Control Authority Complaint Policy 2025</i>	<i>Approved</i>	<i>Planning and Regulatory Manager</i>	<i>19/02/2025</i>	<i>A1286994</i>



OPOTIKI DISTRICT COUNCIL

Building Control Authority Complaint Policy 2025

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. This can be done on paper, by email, or through the appropriate online portal/form. This information can be provided in the following ways:

1. The online form: <https://app.smartsheet.com/b/form/d95705c2b0c4453dbdc2d484b80b2df9>

2. Emailing info@odc.govt.nz (mark as an Official Complaint for BCA).

3. Sending a physical letter:

Letters should be marked as Official Complaint for BCA and be addressed to:

Building and Planning Manager
Ōpōtiki District Council
PO BOX 44
Ōpōtiki 3162

Responsibility for dealing with complaints

The Building and Planning 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:

- The details will be entered into the Ōpōtiki District Council Official Complaints Register and the complaint will be referred to the Building and Planning Manager.
- 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 one (1) working day and a formal acknowledgement of the complaint provided to the complainant either by letter or email.
- 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:
 - Stakeholders who need to be interviewed or involved (including insurance or liability providers);
 - Whether follow-up meetings with the complainant or site inspections are required;
 - Whether escalation within ODC or to an external party is required (e.g. CE office or [MBIE](#)) to ensure objectivity and fairness;
 - What a complaint resolution proportionate to the issues raised will constitute;
 - Whether time urgency for resolution is a factor, or, alternatively, if a longer time frame for resolution is required.
- The Building and Planning Manager will acknowledge receipt of the complaint within three (3) working days and the acknowledgement will include how long before a reply will be given.
- A decision on the complaint resolution will be provided within 10 working days of the complaint being lodged. The reasons for the decision will be documented and provided to the complainant in writing.
- If unable to reply within the agreed ten (10) days (i.e. for very complex matters), the complainant will be informed, and the appropriate timescales for reply set out.
- 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 MBIE.

Confidentiality

Complaints will be managed with confidentiality where or as appropriate. Council will ensure access to complaint information will be restricted to only those managing the response process and meets Council's obligations under the Privacy Act (and other relevant legislation).

Monitoring and Review

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

Relevant Legislation

- Local Government Act 2002
- Privacy Act 2020
- Health and Safety at Work Act 2015
- Local Government Official Information and Meetings Act 1987
- Public Records Act 2005
- Ombudsman Act 1975

Review

Refer to the Policy Index for policy owner. This policy will be reviewed at least every three years or as required by legislative or industry practice changes.