



Department of
Building and Housing
Te Tari Kaupapa Whare

Summary of findings report

**2007/08 building consent authority
accreditation assessments**

November 2008



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1. Overview

PURPOSE

This report summarises the key findings from the assessments of 72 territorial authorities (TAs) and 3 regional councils that applied to become building consent authorities (BCAs) under a new regulatory scheme introduced by the Building Act 2004.

The report looks at performance across all of these organisations and draws out the main themes from the assessment process, rather than focusing on each individual council's performance.

STRUCTURE AND CONTENT

The report's structure is based upon the standards and criteria that each organisation was assessed against, which are contained in the Building (Accreditation of Building Consent Authorities) Regulations 2006. These regulations broadly cover a range of issues such as the capacity and technical capability of organisations being assessed, whether they have sound systems and processes to guide their building control work, how they ensure work is undertaken by people with the right skills and experience, whether they have sufficient resources, facilities and equipment to do their work, and issues such as the management of information and record-keeping.

The **overview** section summarises the main themes and issues found across the assessment process.

Section 2 provides background on why the building consent authority scheme was introduced, the roles of the organisations involved in the scheme, and the regulatory requirements that each organisation was assessed against and needs to meet in order to be accredited under the scheme.

Section 3 outlines the method used to compile this report and discusses some of the limitations on the findings contained in the report.

Sections 4 and 5 then expand upon the key themes and issues organisations need to improve upon. Such issues were either raised as:

- corrective action requests (CARs), which organisations were required to resolve in order to meet the requirements of the BCA regulations and get accredited as BCAs, and/or
- recommendations that were not conditions to achieve accreditation, but were made to assist organisations to help maintain an effective quality assurance management system or because the identified performance issue was not sufficiently serious in the short term to prevent accreditation being granted.

KEY THEMES AND ISSUES

A summary of the main themes and issues found across the accreditation assessment process is noted below. These statements of key themes are intended as general guides only and are based upon a review of 75 initial assessment reports from the 72 territorial authorities and three regional councils. While every effort has been made to ensure accuracy, they are not intended to be exact statements.

These themes are explored in more detail in the body of the report.

Requirements for policies, procedures and systems (regulation 5)

- Nearly half of the organisations needed to improve how they were documenting their building control procedures, policies and systems.
- Over two thirds of organisations needed to improve one or more of their policies, procedures and systems so they were appropriate for their purposes (ie, consistent with legislative requirements).

Observance of policies, procedures and systems (regulation 6)

- Most organisations needed to strengthen how they were ensuring that:
 - at least one (but often more) of the policies, processes or systems required by the regulations were being effectively implemented
 - their key decisions, reasons for decisions, and outcomes from such decisions were being appropriately recorded by staff (eg, inspection records).

Building control policies and procedures (regulation 7)

- Nearly every organisation assessed needed to make some improvement to the policies and procedures they had for performing their building control functions. Most organisations received a number of corrective action requests and recommendations about regulation 7.
- Regulation 7 accounted for around one third of all CARs raised in the initial assessment reports of the 75 territorial authorities and regional councils assessed. Around 200 more CARs were made about regulation 7 than any other regulation.
- Likewise, regulation 7 accounted for around a half of all the recommendations made in the initial assessment reports. Around 240 more recommendations were made about this regulation than any other regulation.
- Around three quarters of organisations needed to enhance the consumer information they were providing about the building consenting, inspection and approval process (regulation 7(2)(a)).

- Around a third of organisations needed to improve how they were receiving and/or initially vetting building consent applications to ensure they complied with the Building Act and regulations (regulations 7(2)(b) and (c)).
- Around a half of organisations needed to strengthen their policies and procedures for assessing the content of consent application and/or allocating them to an appropriate processor (regulations 7(2)(d)(ii) and (iii)).
- Around two thirds of organisations needed to strengthen their policies and procedures for assessing building consent applications they had accepted for compliance with the Building Act and Building Code (regulation 7(2)(d)(iv)).
- Around 40 percent of organisations needed to strengthen their policies and procedures for deciding whether to grant a building consent application (or refuse it) and then issuing the building consent (regulation 7(2)(d)(v)).
- Around three quarters of organisations needed to strengthen how they were planning, performing and managing their building inspections (regulation 7(2)(e)).
- Around three quarters of organisations needed to improve their policies and procedures for issuing (or refusing to issue) code compliance certificates, compliance schedules, and/or notices to fix (regulation 7(2)(f)).
- Around a half of organisations needed to strengthen their policies and procedures for receiving and managing enquiries (regulation 7(2)(g)).
- Around a third of organisations needed to strengthen their policies and procedures for receiving and managing complaints (regulation 7(2)(h)).

Ensuring enough capacity (regulation 8)

- Over a half of organisations had significant capacity limitations (either in-house staff or contractors) to meet the volume of work they were faced with.
- Around a half of organisations needed to strengthen their systems for assessing and managing their capacity needs (from internal and/or external sources).

Allocating work to technically competent people (regulation 9)

- Around one in three organisations needed to either improve the theoretical basis by which they were allocating building control work to competent people (eg, using building categories), the linkages with their competency assessment system (under regulation 10), or their staff's understanding and use of their system.

Establishing and assessing competency (regulation 10)

- A number of organisations had some form of existing system to assess the competence of their staff. However, improvements were often needed. The main areas are as follows.
 - Around a half of organisations needed to better document their competency assessment system, or improve the records they were making of assessments, the outcomes from such assessments, or the reasons for decisions around competency levels, etc.
 - Around a half of organisations needed to ensure their competency assessment systems met all of the requirements of the regulations, or more clearly drew out the linkages between their systems and the regulations.
 - At least one in four organisations had not completed their competency assessment process for all of their building control staff at the time of their assessment.

Training employees (regulation 11)

- Although a number of organisations had existing training systems, many did not completely meet all of the requirements of this regulation. The main areas where improvement was needed are as follows.
 - Around two thirds of organisations needed to strengthen how they were ensuring training was actually being applied in practice by those who had undergone the training (eg, monitoring and reviewing application of training).
 - Around one in four organisations needed to bring greater rigour to how they were assessing the training needs of personnel in their building control units.
 - Around 40 percent of organisations needed to improve how they prepared their training plans and/or the content of their plans (including specifying training outcomes in their plans).
 - Around one in four organisations were required to enhance their system for supervising employees under training.

Choosing and using contractors (regulation 12)

- Around a half of organisations needed to strengthen how they were accepting and applying producer statements from external experts in their compliance decision-making.
- Around one in three organisations had to improve their overall systems for choosing or using contractors, or bring greater rigour to how they assessed the initial or ongoing competence of contractors.
- Around one in three organisations had to improve how they were monitoring the ongoing performance of contractors they were using.
- Around one in three organisations needed to establish more formalised arrangements with other parts of the council they relied on for services (eg, MoUs, contracts, service level agreements, etc), because they were effectively using these parts of the council as contractors.

Technical leadership (regulation 13)

- Around a half of organisations had to strengthen how they were identifying and/or enabling their building control technical leaders.
- Around one in three organisations needed to improve how they were ensuring technical leaders were appointed based on their actual building control technical competence.
- Around one in four organisations had to address issues relating to the 'scope' of their technical leadership (eg, gaps, ambiguities, or overlaps in coverage).

Building control resources (regulation 14)

- Around two thirds of organisations needed to strengthen their systems for calibrating equipment they used in building control (such as thermometers and moisture meters).
- Around one in four organisations were asked to enhance how they manage the technical information used by their building control units.

Keeping of organisational records (regulation 15)

- Around one in three organisations needed to better document their organisational structures, key reporting lines, or relationships with key internal or external stakeholders.
- Around one in five organisations had to improve how they were defining and documenting the roles, responsibilities, powers, authorities or limitations of their staff and contractors.

Filing (regulation 16)

- Around one in four organisations needed to strengthen how they were defining what information was regarded as 'relevant' for filing purposes and/or better ensure such information was consistently being filed on the consent file.

2. Background

THE BUILDING CONSENT AUTHORITY SCHEME

The Building Act 2004 aims to improve the control of, and encourage better practice and performance in, building design, construction and building control. It sets standards and procedures for people involved in building work to help ensure that buildings are built right, first time.

The Act requires that territorial authorities and regional authorities be *registered* as building consent authorities before they can undertake building consent processing, inspection and approval functions. Regional authorities are required to be registered before undertaking building control functions in relation to dams.¹

In order to be registered (by the Chief Executive of the Department of Building and Housing) as a building consent authority, organisations must first be accredited against a set of standards and criteria, which have been designed to support good-quality decisions and practices and consistency in building consent processing, inspection and approval functions. These requirements are specified in the Building (Accreditation of Building Consent Authorities) Regulations 2006.

This scheme is intended to strengthen New Zealand's building control system. Accreditation will help ensure building consent authorities have the capacity and capability to undertake their work and consistently achieve compliance with building legislation. The scheme will help improve the decision-making processes at the critical building consent, inspection and approval stages of the building process. Successful implementation will bring about greater consistency in building control across New Zealand. It will help lead to performance improvements and raised standards in the building control sector and improved consumer confidence in the system.

¹ Private organisations are also required to be registered before they can undertake functions as a building consent authority. A small number of private organisations have applied to become accredited as building consent authorities. However, this report does not cover their assessments.

KEY PLAYERS IN THE SCHEME

Building consent authorities – territorial authorities, regional authorities or private organisations responsible for undertaking certain building control functions under the Building Act 2004. In summary, such functions broadly include:

- processing and approving most building consent applications (except consents subject to a waiver or modification)
- inspecting building work for which a building consent has been granted to ensure the work has been undertaken according to the building consent and the law (including issuing notices to fix)
- certifying that completed building work is compliant with the Building Code and the building consent (including issuing code compliance certificates and compliance schedules).

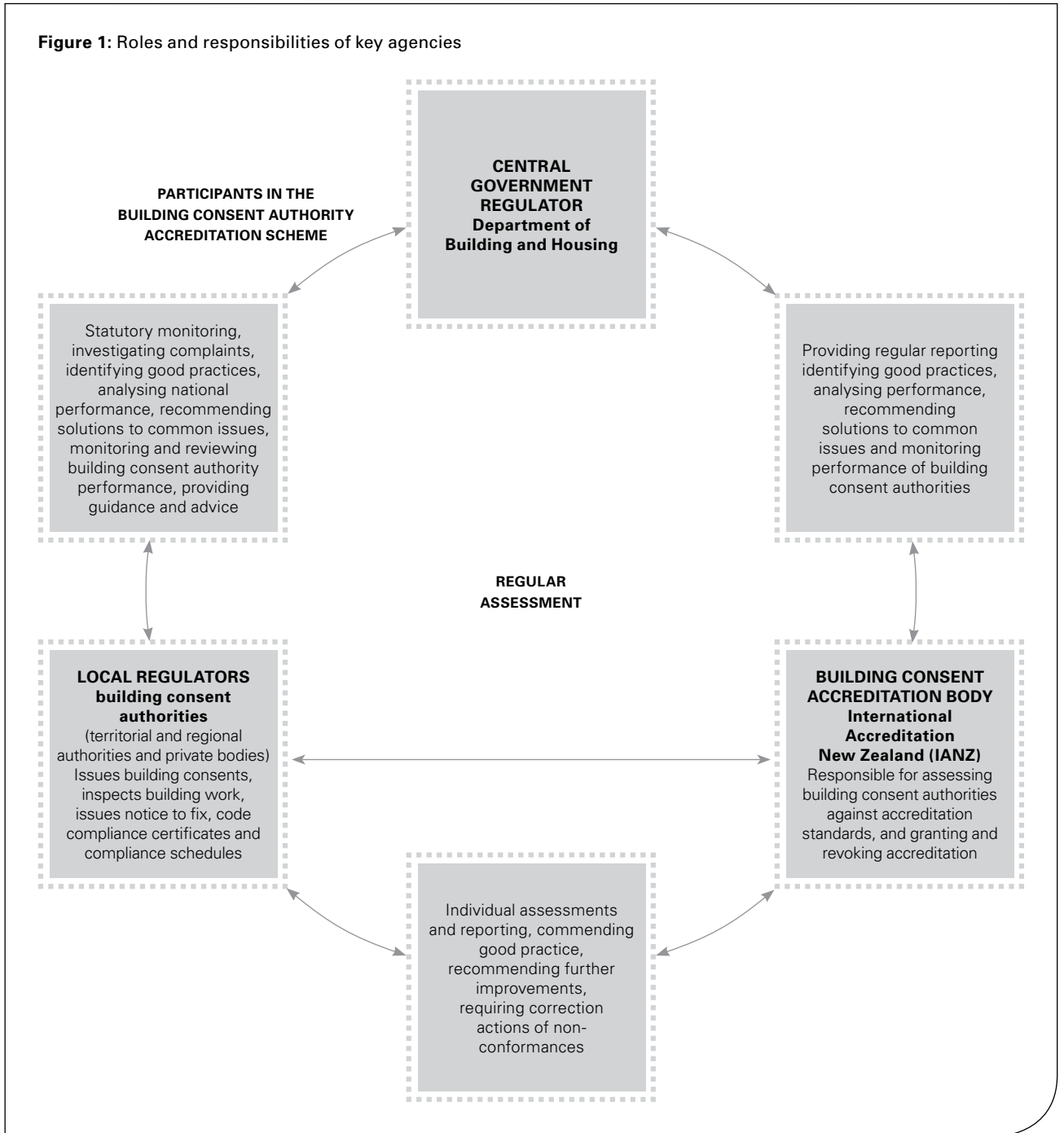
Building consent accreditation body – the organisation that is responsible for undertaking the accreditation assessments of building consent authorities. International Accreditation New Zealand (IANZ) has been appointed to this role² and has been assessing each applicant against the Building (Accreditation of Building Consent Authorities) Regulations 2006. The building consent accreditation body is responsible for granting and revoking accreditation.

Department of Building and Housing

The Department is the central government agency responsible for designing, implementing, and over-seeing the scheme. Once an organisation has been granted accreditation, it must then apply to the Department to be registered as a building consent authority. The Department also maintains a statutory monitoring and review function over building consent authorities.

² This appointment was made under section 248(1)(a) of the Building Act 2004.

Figure 1: Roles and responsibilities of key agencies



THE BUILDING (ACCREDITATION OF BUILDING CONSENT AUTHORITIES) REGULATIONS 2006

These regulations specify the criteria and standards that organisations must meet in order to be accredited as a building consent authority. Each of the key regulations used in the assessments is set out in the body of this report. High level summaries of key regulations are as follows.

- **Regulation 5** requires BCAs to ensure their policies, procedures and systems are written or electronic and appropriate for their purposes.
- **Regulation 6** requires BCAs to record how they will effectively implement their policies, procedures and systems, and record some of the key components of their decision-making.
- **Regulation 7** sets requirements around BCAs' policies and procedures for performing their building control functions.
- **Regulations 8 to 14** specify the requirements applicants must meet around their skills and resources. These regulations require BCAs to have systems for:
 - ensuring they have enough employees and contractors to undertake their building control functions (**regulation 8**); and
 - ensuring building control work is allocated only to those who are competent to do the work (regulation 9); and
 - establishing and assessing the competence of employees who undertake building control functions and setting out what the competence assessment system should cover (regulation 10); and
 - training employees who undertake building control functions (regulation 11); and
 - choosing and using competent contractors (regulation 12); and
 - identifying and designating appropriate technical leadership (regulation 13); and
 - providing the technical and administrative information, facilities and equipment to effectively perform their building control functions (regulation 14).
- **Regulation 15** requires BCAs to record their organisational structure and the roles, responsibilities, powers, authorities and limitations on the powers and authorities of their staff.
- **Regulation 16** requires BCAs to have a system for ensuring all information relevant to a building consent application is filed, readily accessible, retrievable and stored securely.
- **Regulation 17** specifies requirements regarding organisations' quality assurance management systems, which have to be met before 1 December 2010.
- **Regulation 18** specifies requirements that applicants must meet regarding the qualifications of their technical staff, which have to be met before 1 December 2013.

3. Method and limitations

METHOD

The following steps were used to compile this report.

- Copies of the *initial accreditation assessment* reports that IANZ produced for 72 territorial authorities and three regional authorities were analysed.
- Each council was given a unique identifier and coded according to the Department of Building and Housing's categorisation (see Appendix 1) as either:
 - a large metropolitan/city council (9 councils)
 - a medium-sized provincial/city council (21 councils)
 - a smaller rural district council (42 councils)
 - a regional council (3 had applied for accreditation when this report was developed).
- A Microsoft Access database was developed to help collate the information used in the analysis. Each initial assessment report was then reviewed and the main issues were input into the database, along with the CARs and recommendations IANZ made for each council.
- The database allowed reports to be generated about the CARs and recommendations made for each regulation, for each individual council, or by each category of council. This data was then used to develop this report.

LIMITATIONS

This report is based solely on the material in the *initial assessment reports* produced by IANZ for each council. Many councils also had reassessment reports produced. These were not analysed, coded, or reported. As such, any corrective action requests or recommendations made by IANZ after the initial assessment phase for a given council are not included in this analysis.

Analysis and statistics in the report are based upon how issues were reported by IANZ in its 75 initial assessment reports. So if a given corrective action request covered a number of actions, but was reported as one multi-pronged CAR, then it has been coded and reported as such in this report. Conversely, if a specific issue about a given regulation was separated out into two or more CARs (or recommendations) in a given council's report, then this has been coded and reported as such in our report. Additionally, if a CAR spanned a number of different regulations, then for the purposes of this report, it was coded and allocated to the primary regulation mentioned in the IANZ report. This was usually clear, because each CAR or recommendation was usually clearly labelled in IANZ's reports according to the specific regulation(s) it pertained to.

No private organisations that were assessed have been included in this report. It is limited to 72 territorial authorities and three regional councils (see Appendix 1).

While IANZ's initial assessment reports did include some positive comments on a BCA's performance, they tended to focus on the things the BCA needed to work on or fix, rather than repeating all of the things that were being done well or that already complied with the regulations.

Therefore, this report has the same focus and does not generally emphasise the positive aspects found – other than by the logical implication that BCAs with the least number of CARs were usually doing comparatively better in meeting the regulations than those with more CARs (Note: this was not always the case).

The report also does not distinguish between the relative significance or seriousness between different CARs. Each CAR was coded as one entry, regardless of whether it was a relatively simply procedural change that could be implemented quite quickly or a more serious CAR that would take a longer time and more resources and effort to resolve (eg, building up capacity or technical capability).

Further, the amount of CARs given to each BCA in their initial assessment reports did not always correlate to their degree of compliance with the requirements of the BCA scheme. For example, one BCA may have had a number of quite specific CARs that were pitched at refining a given system that was in a reasonably sound condition. By contrast, another BCA that had not sufficiently prepared or needed to do considerable remedial work may have only received a small number of very broad and very significant CARs in their initial assessment report – essentially saying they needed to undertake a considerable amount of work before IANZ could progress their assessment further.

4. Summary of corrective actions and recommendations

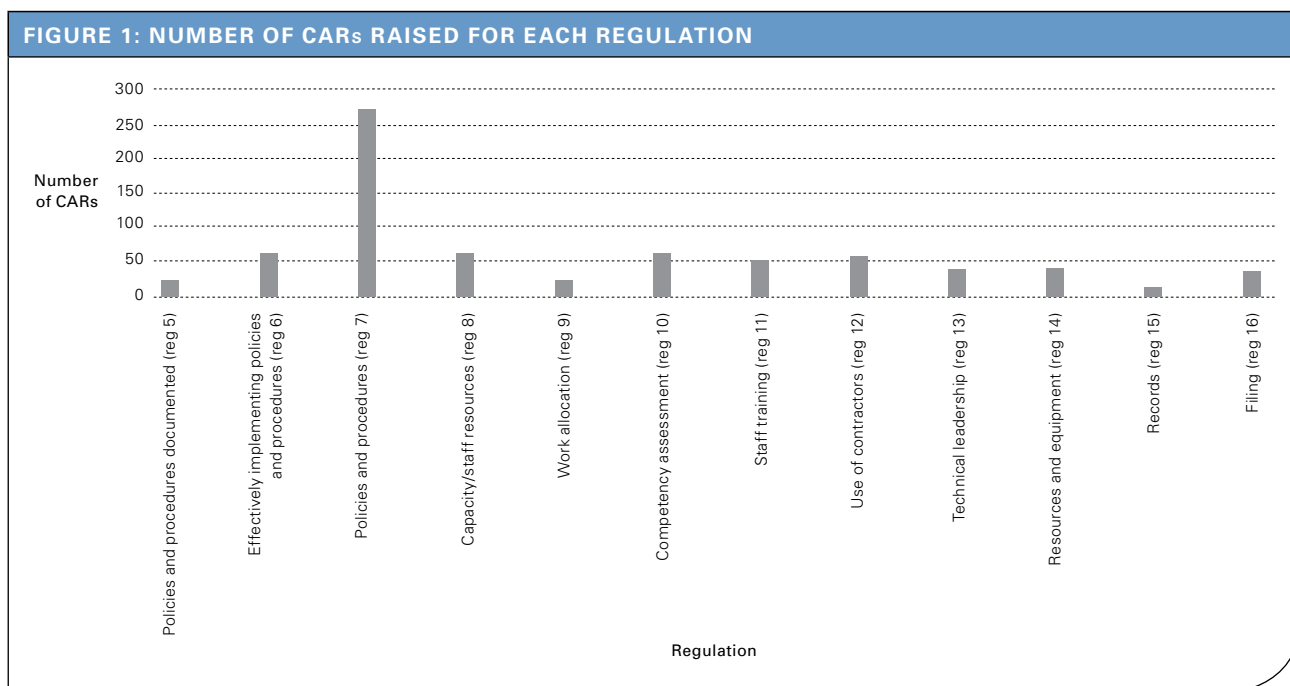
During the assessment process, IANZ used two mechanisms to request and/or recommend that organisations undertake work to fully comply with a regulation, remedy an observed deficiency, or to otherwise strengthen their performance or quality management practices.

- A **corrective action request** (or 'CAR') described a specific action that organisations had to respond to in order to comply with a regulatory requirement. All CARs were essentially conditions for accreditation in that they needed to be responded to and resolved (or 'cleared') to IANZ's satisfaction before the organisation could be accredited as a BCA.

- A **recommendation** was made either to assist an organisation to maintain an effective quality management system, or where IANZ found that a regulatory requirement may have not been met in full, but this was not serious enough in the short term to prevent accreditation. As such, recommendations were not conditions for accreditation. However, in some cases, IANZ noted that if the recommendations were not satisfactorily addressed by the organisation's next accreditation assessment, a CAR could be raised at that time.

CORRECTIVE ACTION REQUESTS (CARs)

In total, 737 CARs were raised in the initial assessment reports of the 72 territorial authorities and three regional councils assessed. Figure 1 below shows the breakdown of the total CARs across each regulation.

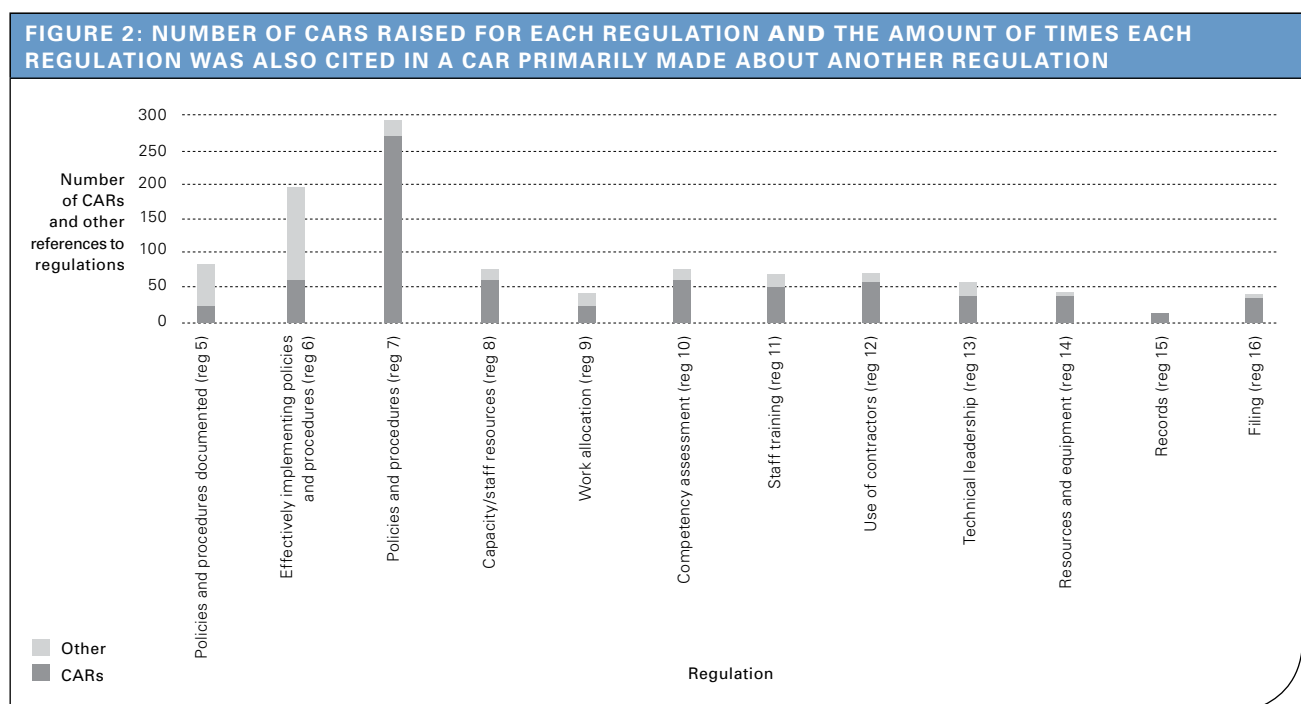


The main themes raised for each separate regulation are discussed in the following sections of this report, which are specific to each regulation. However, in terms of an overview of the CARs as a whole, 262 CARs (or around a third) were raised about regulation 7 (which specified certain minimum building control policies and procedures that organisations need). Most organisations received multiple CARs and/or recommendations about this regulation – with each usually covering a different policy or procedure required by the regulation. In contrast, only 15 CARs were made about regulation 15. Regulations 6, 8, 10, 11 and 12 had around 50–60 CARs.

Some care is needed when interpreting the significance of the number of regulation 7 CARs, however, as regulation 7 does have a much wider scope and a lot more individual subclauses than the other regulations. In many cases, IANZ separated out each limitation they found about regulation 7 and gave each its own CAR and/or recommendation. Despite this, however, even if all regulation 7 CARs and recommendations

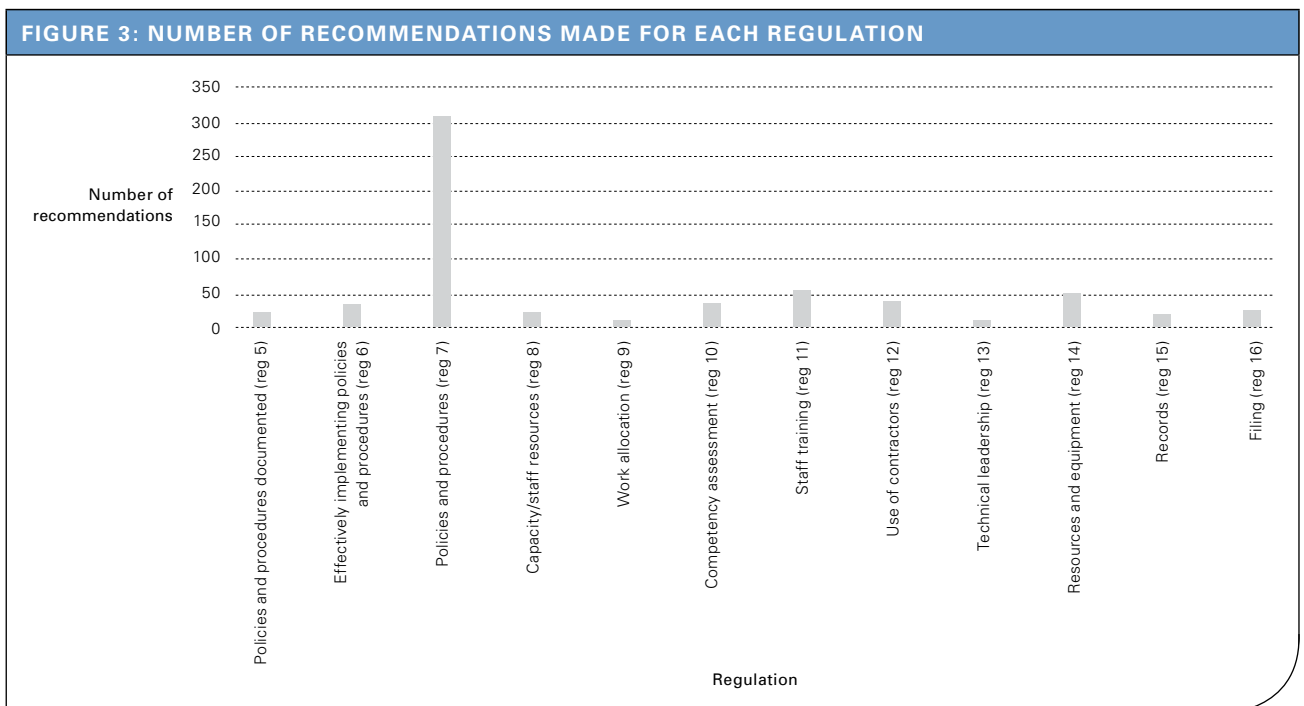
were bundled up for each council (and only counted once for each council), regulation 7 would still have more CARs and more recommendations than any other regulation.

Figure 1 also significantly understates the extent to which regulations 5 and 6 were raised as issues across all councils. These two regulations contained general requirements that spanned across all of the other regulations – for example, regulation 5(a) requires policies, procedures and systems to be documented. In many cases, problems with these two regulations were actually included as part of CARs made about other regulations, rather than being reported as specific CARs about regulations 5 or 6 in their own right. Most councils had issues with these two regulations. To illustrate the extent of this, Figure 2, below, adds another layer to Figure 1. The CARs remain in dark grey, but the light grey parts of each column in the graph show how often each regulation was also cited as part of a CAR that was raised primarily about another regulation. As can be seen, regulations 5 and 6 become much more prominent issues when this is taken into account.



RECOMMENDATIONS

In total, 630 recommendations were made in the initial assessment reports reviewed. As with the CARs, regulation 7 received the most recommendations across all of the regulations. Three hundred and ten of the 630 recommendations made (or around a half) were raised about regulation 7. In contrast, regulation 13 received only eight recommendations across the 75 organisations assessed and regulation 9 only received nine recommendations. The main themes raised in the recommendations are discussed under the individual regulations.



5. Key findings from the accreditation assessment process

The key themes and issues that arose from the first round of accreditation assessments under the BCA scheme are set out below.

These findings are reported in separate sections for each of the 12 regulations that comprised the standards and criteria that each organisation was assessed against (regs. 5–16).

Each section is ordered as follows.

Introduction

- The purpose of the regulation is stated.
- The regulation is then repeated in full (in shaded blue boxes).

Corrective action requests (CARs)

- A high level statistical summary of the corrective action requests (CARs) made about the regulation is provided.
- The key themes and issues raised by the CARs are highlighted.
- The main elements of the actual CARs are highlighted (in shaded grey boxes).

Recommendations

- A high level statistical summary of the recommendations made about the regulations is provided.
- Key themes and issues raised by the recommendations are set out.

Summary

- A high level summary for each regulation is given (bold text in boxes).

REQUIREMENTS FOR POLICIES, PROCEDURES AND SYSTEMS (REGULATION 5)

Purpose of regulation

Regulation 5 requires BCAs' policies, procedures and systems to be documented and appropriate for their purposes. Regulation 5 also applies to regulations 7–16. Having these requirements in a stand-alone regulation saves having to repeat them in each of the other regulations.

REGULATION 5: Requirements for policies, procedures, and systems

The policies, procedures, and systems required by these regulations must be:

- (a) written or electronic; and
- (b) appropriate for their purpose.

Summary of the CARs made

- Twenty-eight CARs were made about this regulation.
- However, regulation 5 was also raised as an issue in around 49 other CARs that were made about regulations 6–16. This means regulation 5 was an issue for most BCAs assessed.
- As such, there are references throughout this report to the two main requirements in regulation 5 (the need to properly document policies and systems and ensure they are appropriate for their purposes) in the summaries of the themes raised under the other regulations (regs 7–16).
- The 28 specific CARs about regulation 5 were spread across 22 BCAs (one BCA had two CARs and one BCA had six CARs). Thirteen of these BCAs were smaller/rural councils, three were medium-sized city/provincial councils, five were larger metropolitan city council, and one was a regional council.

Key themes from the CARs

Documenting procedures, policies and systems (reg. 5(a))

Nearly half of BCAs assessed needed to ensure their building control procedures, policies and systems were better documented.³ A number of cases of having 'informal' procedures were observed. In many cases, the knowledge of the process was restricted to one or a few people in the organisation, and not properly written down and shared with others.

Appropriate for purpose (reg. 5(b))

Over two thirds of BCAs assessed needed to improve their policies, procedures and systems to ensure they were appropriate for their purposes.⁴ The main issues identified were as follows.

- One or more of the building control policies or procedures required under regulation 7 were not appropriate for their purpose.
- Processing checklists did not provide space for the recording of decisions, reasons for decisions and outcomes of decisions.
- It was difficult to determine if forms were the latest version.
- The procedure for amendments to granted consents was not appropriate.

³ They either had specific CARs about regulation 5(a) to this effect, or regulation 5(a) was raised in the context of another CAR under a different regulation.

⁴ They either had specific CARs about regulation 5(b) to this effect, or regulation 5(b) was raised in the context of another CAR under a different regulation.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Define and document all of their building control policies, procedures and systems
- Review and revise existing policies, procedures and systems (eg, expand checklists and procedural tools) to ensure they cover all they are supposed to
- Amend policies and systems to ensure they are fit for their purposes
- Develop and document a system to identify specific forms and a means to show the current version and clearly distinguish superseded versions
- Revise the procedure relating to amendments to granted consents to ensure the process is clearly defined

Summary of recommendations

- Twenty-two recommendations were made about this regulation.
- The recommendations were spread across 20 BCAs (two BCAs had two recommendations each). One of these BCAs was a larger metropolitan/city council, 15 were smaller/rural councils, three were medium-sized city/provincial councils, and one was a regional council.

Key themes from the recommendations

Removing inconsistencies

Seven BCAs were asked to review their documentation and remove observed inconsistencies. In several cases there were inconsistencies between documents. This occurred where a number of references were made to a subject in several locations, such as in the procedures manual or in forms, and details about this subject were inconsistent.

In other cases, documentation did not reflect either current practice, or new procedures that had been introduced.

Maintaining a list/register of forms

Three BCAs were encouraged to either establish or update a complete list of forms used in the performance of their BCA functions.

Identification of forms used when making records

In six instances, BCAs were asked to review and improve their documentation so that forms used in making records were actually identified in those records. In some cases, it was difficult to identify which forms were used to record particular procedures and processes. A few recommendations noted that, although experienced staff knew which forms to use, new staff would have difficulty understanding how activities were to be undertaken and recorded.

Other documentation problems

Several BCAs were requested to improve the quality of their documentation in other ways, including:

- using better terminology
- improving clarity by asking how documents address the regulatory requirements
- reviewing information provided on forms
- developing policies describing how the BCA intends to meet the regulatory requirements.

Summary of key findings for regulation 5

- Nearly half of the organisations needed to improve how they were documenting their building control procedures, policies and systems.
- Over two thirds of organisations needed to improve one or more of their policies, procedures and systems so they were appropriate for their purposes.

OBSERVANCE OF POLICIES, PROCEDURES, AND SYSTEMS (REGULATION 6)

Purpose of regulation

Regulation 6 specifies further general requirements that applicants must meet regarding all their policies, procedures and systems for performing their building control functions. Like regulation 5, this regulation also applies to regulations 7–16, and is therefore not repeated in each of the other regulations.

REGULATION 6: Building consent authority's observance of policies, procedures, and systems

A building consent authority must record:

- (a) the means by which it ensures that it implements effectively the policies, procedures, and systems required by these regulations; and
- (b) the decisions it makes under the policies, procedures, and systems required by these regulations; and
- (c) the reasons for the decisions; and
- (d) the outcomes of the decisions.

Summary of the CARs made

- Sixty-one CARs were made about this regulation.
- However, regulation 6 was also raised as part of around 136 other CARs that were made about other regulations. This means that regulation 6 was essentially raised as an issue for almost all of the organisations assessed. In fact, it was so commonly raised that a number of organisations had more than one CAR about it.
- As such, throughout this report there are references to the four main requirements in regulation 6 (see 6(a) to (d) above) in the summaries of the themes raised under the other regulations.
- The 61 specific CARs about regulation 6 were spread across 47 BCAs (seven BCAs had two CARs, two BCAs had three CARs and one BCA had four CARs). Twenty-nine of these BCAs were smaller/rural councils, 13 were medium-sized city/provincial councils, and five were larger metropolitan city councils.

Key themes from the CARs

Effectively implementing policies, procedures and systems (reg. 6(a))

The majority of BCAs assessed needed to better record how they were going to ensure effective implementation of the policies, procedures and systems required by at least one of the regulations.⁵ An audit system was a commonly recommended means to demonstrate compliance with regulation 6(a). However, in many cases the internal audit system had not been fully developed to comply with the regulations and/or implemented. Another common shortcoming among many BCAs was that they could not produce sufficient records or adequate evidence in respect of the implementation of their systems, policies and procedures.

Recording decisions, reasons and outcomes (reg. 6 (b), (c) and (d))

Almost all BCAs assessed needed to improve on one or more aspects of their record-keeping in relation to their building control decision-making.⁶ In most cases, the organisation concerned had to improve on a number of the subclauses of regulation 6 (it was common for subclauses 6(b), (c) and (d) to be combined into findings by IANZ – ie, BCAs needed to ensure their decisions, reasons for decisions, and outcomes from key decisions were being appropriately recorded).

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Review current procedures in relation to regulation 6
- Plan and document a programme to audit/assess all BCA systems and operations, specifying which element will be assessed and when
- Implement the audit programme
- Put in place a process or system to ensure effective implementation (some CARs were more general than asking for an audit programme and left the method to ensure reg 6(a) up to the BCA concerned)
- Ensure decisions, reasons for decisions and outcomes are appropriately recorded (CARs covering reg 6 (a), (b) and (c) very common)

Summary of the recommendations

- Thirty-five recommendations were made about this regulation.
- The recommendations were spread across 28 BCAs (three BCAs had two recommendations each and two BCAs had three recommendations). Twelve of these BCAs were smaller/rural councils, 12 were medium-sized city/provincial councils, three were large metropolitan city councils, and one was a regional council.

⁵ While around 37 specific CARs were specifically raised about regulation 6(a), the regulation was also commonly referred to in around 30 other CARs made about other regulations.

⁶ While around a half of BCAs had specific CARs raised about one or more of regulations 6(b), (c), or (d), the regulation was also commonly referred to as part of CARs made about other regulations.

Key themes from the recommendations

Internal audits

The most common theme from the recommendations made for regulation 6 centred around BCAs implementing a sound internal auditing system as a means of ensuring effective implementation of their policies and systems and complying with regulation 6(a). Twenty-two BCAs were asked to review and improve their internal audit procedures. The most common recommendations involved:

- improving the level of detail in audit reports
- extending the scope of audits to cover all documented processes under all relevant regulations (notably, about half of the recommendations on this issue were classed as 'strong' recommendations).

Other recommendations regarding internal audits included:

- ensuring audits were completed regularly (most of the recommendations on this issue were 'strong' recommendations)
- improving the clarity of audit records
- using corrective action forms to record and track the clearance of any issues raised during the audit process.

Recording of decisions

Eight BCAs were requested to improve their record-keeping, particularly with regard to recording decisions and the reasons for decisions (regulation 6(b) and (c)). These recommendations included:

- improving consistency in the way decisions were recorded
- improving the clarity of records giving reasons for making certain decisions
- increasing the level of detail in records
- ensuring better training for inspectors on the quality of records required.

Summary of key findings for regulation 6

- Most organisations assessed needed to strengthen how they were ensuring that:
 - at least one (but often more) of their policies, processes or systems required by the regulations were being effectively implemented
 - their key decisions, reasons for decisions, and outcomes from such decisions were being appropriately recorded.

PERFORMING BUILDING CONTROL FUNCTIONS (REGULATION 7)

Purpose of regulation

Regulation 7 is intended to ensure building consent authorities develop and document sound policies and procedures, and their employees and contractors fully understand and consistently comply with the policies and procedures.

REGULATION 7: Performing building control functions

- (1) A building consent authority must have policies and procedures for performing its building control functions.
- (2) The policies and procedures must cover the following:
 - (a) giving the following information, in writing or electronically, to a person who wants to apply for a building consent:
 - (i) how to apply for a building consent; and
 - (ii) how an application for a building consent is processed; and
 - (iii) how building work is inspected; and
 - (iv) how building work is certified; and
 - (b) receiving applications for building consents; and
 - (c) checking that the applications comply with the requirements that the Act and any applicable regulations under the Act specify for applications; and

(continued over)

REGULATION 7: Performing building control functions (continued)

- (d) for applications that comply with the requirements that the Act and any applicable regulations under the Act specify for applications,—
 - (i) entering the applications in the building consent authority's building consent processing system; and
 - (ii) assessing the content of the applications; and
 - (iii) allocating the applications to employees or contractors to process; and
 - (iv) processing the applications to establish whether they comply with the requirements that the Act, the building code, and any other applicable regulations under the Act specify for buildings; and
 - (v) granting, refusing to grant, and issuing building consents; and
- (e) planning, performing, and managing inspections; and
- (f) issuing and refusing to issue code compliance certificates, compliance schedules, and notices to fix; and
- (g) receiving and managing inquiries about building control functions, in addition to the inquiries that are received and managed under paragraph (a); and
- (h) receiving and managing complaints about building control functions.

NB: Regulation 7 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Two hundred and sixty-two CARs were made about this regulation. Regulation 7 received the most CARs across the whole assessment process nationally – around 200 CARs more than any other regulation. Around one third of all CARs raised were about regulation 7.
- Regulation 7 was also raised as an issue in around 20 other CARs that were made about other regulations.
- The CARs were spread across 69 BCAs. Thirty-nine of these BCAs were smaller/rural councils, 19 were medium-sized city/provincial councils, eight were larger metropolitan city councils and three were regional councils.

Key themes from the CARs

Information provided to the public (reg. 7(2)(a))

Thirty-three BCAs needed to strengthen how they were providing information to building consent applicants. The main changes required are as follows.

- Ten BCAs were found to provide insufficient information across all four required areas of the regulation (how to apply for a building consent, how an application is processed, how building work is inspected, and how building work is certified).
- Most other BCAs were providing information on how to apply for a building consent (reg. 7(2)(a)(i)), but were lacking adequate information on the three other areas of information required by the regulation.
- Twenty-three BCAs were required to improve their information on how building work is inspected.
- Nineteen BCAs were required to improve their information on how building work is certified.
- A number of BCAs were required to improve their information on timing requirements and their use of the statutory time clock.
- A small number of BCAs were asked to look at how they were providing the information (hard copy or electronic copies).

CARs required

To respond to the issues raised above, BCAs were usually asked to review and revise the information they were currently providing to ensure it adequately covered all requirements in the regulations.

Other CARs specific to one or two BCAs included:

- reviewing the system for advising owners of required inspections
- producing material for the public on specific parts of the building consenting and approval process where there were gaps (particularly regarding inspections and certification)
- ensuring all relevant staff are aware of their organisation's publications.

Receiving applications for building consents (reg. 7(2)(b))

Some BCAs were found to be accepting building consent applications that were not complete or lacked the necessary supporting information to enable them to make informed compliance decisions. Part of the problem appeared to stem from limitation in their policies or procedures around receiving and vetting applications. Twelve BCAs needed to strengthen their processes to ensure compliance with regulation 7(2)(b).

The CARs often related to the requirement of regulation 6 to record decisions, reasons for decisions, and outcomes of decisions. The main issues identified were as follows.

- The process for accepting building consent applications was not documented.
- Procedures in respect of quality and content of application documentation were not being effectively implemented.
- Receipt of building consent applications was not being consistently recorded and checklists were not appropriate or being consistently completed.
- Decisions to accept, and reasons for accepting, building consent applications were not recorded.
- Reasons for accepting applications were not recorded.

CARs required

To respond to these issues, BCAs were asked to do one or more of the following.

- Review, revise and implement the procedure for receiving building consent applications, including details of the records to be made
- Review and revise forms and checklists for receiving building consent applications
- Develop and document procedures for accepting consent applications and ensuring decisions, reasons for decisions and outcomes of decisions are recorded
- Implement documented or revised procedures and provide training to appropriate staff to ensure consistent implementation of procedures and recording of information

Vetting building consent applications (reg. 7(2)(c))

Fourteen BCAs were asked to improve their policies and procedures around how they were checking that building consent applications submitted were complying with the requirements of the Building Act and any applicable regulations (ie, vetting applications). Some BCAs were found to be accepting applications without all of the information needed to ensure they complied. Issues specific to one or two BCAs included the following.

- Vetting procedures for checking the compliance of applications had not been documented or were too informal.
- The role of technical leaders in assessing applications for compliance was not documented.
- Building consent application forms did not require recording the means of compliance with the requirements of the Act or the application forms themselves did not comply with the requirements of the Building (Forms) Regulations 2004.
- Applications were observed to be returned to the owner after the decision to accept the application had been made.
- Documented procedures were not consistently being implemented or were different to actual practices.
- Vetting checklists were missing required records, or outcomes of processes for checking applications were not recorded.
- No evidence was being recorded to show that the BCA actually established and recorded compliance.
- Contractors were required to only assess compliance with the Building Code not the Act.

CARs required

To respond to these issues, BCAs were asked to do one or more of the following.

- Review, revise and implement the procedure for requiring a building consent application to be complete and for checking that the application meets the requirements of the Act and regulations under the Act
- Define and document the process, including the records to be made, for checking compliance of applications where no documented procedure existed
- Develop, document and implement a vetting process to cover all applications to ensure that all necessary information is provided
- Amend checklists to ensure adequate records of checking compliance
- Ensure vetting checklists are completed and that the outcome of vetting is recorded.
- Revise application forms to ensure they meet the requirements of the Act and the Building (Forms) Regulations 2004
- Define and document the role of the technical leaders in assessing applications for compliance with the Act, including details of records to be made

Consent processing – entering the applications (reg. 7(2)(d)(i))

Only a small number of BCAs (around six) had issues regarding how they were entering building consent applications into their processing systems. The following issues were noted across one or two BCAs.

- Building consents were not lodged in the consent system at the time of the decision to accept the consent application.
- Inadequate processes were in place for checking the completeness of applications and checking that applications meet the requirements of both the BCA and the Building Act.
- Consent lodgement procedures were inadequate and did not identify the need for a compliance schedule or ensure these were recorded on the building consent.
- Software used to record applications provided an inappropriate management tool.
- Processes for classifying consent applications were not being implemented.

- Better recording of the outcome of the receiving and checking processes prior to lodgement of the applications was needed.
- The interpretation of ‘small works’ and use of the checklist was at times inappropriate.

CARs required

To respond to these issues BCAs were asked to do one or more of the following.

- Revise the procedure for lodging building consent applications into the computer system
- Review the recording of consent entries and ensure software provides an appropriate management tool
- Review, revise, document and implement procedures for requiring information to support the building consent application and practices in respect of receipt and review of requested further information

Consent processing – assessing and allocating applications received (reg. 7(2)(d)(ii) and (iii))

Twenty-seven BCAs were asked to enhance their policies and procedures regarding how they initially assessed and/or allocated building consent applications to employees or contractors to process. The main issues included the following.

- A number of councils had problems with their building categorisation systems used as the basis for initially assessing and allocating work. Common issues included:
 - consent applications either not identifying and recording the building category, or incorrectly classifying the application, and therefore it being allocated to staff without the required competence
 - in some cases building category classifications not being recorded on files
 - the documented systems for classifying building work according to building categories having gaps or being out of step with the core building work taking place and needing to be processed
 - the documented system not being properly implemented (eg, not being consistently used or followed).

- Staff competency was an issue with allocation of building consent applications. Processing by suitably competent staff was documented as a requirement, but not always observed. The documented competency levels of staff members undertaking processing activities was sometimes found to be unsuitable for some building categories. Some BCA staff allocating work appeared unclear about the criteria for allocating work to technically competent people. Further training was needed in a number of BCAs.
- Insufficient recording of the decisions made when assessing the content of applications and identifying the appropriate building (as required by regulation 6(b)). Records of reasons for decisions and outcomes from processing decisions were often insufficiently detailed.
- Some BCAs' procedures did not clearly state what types of work will be sent to contractors and implied that the BCA could process and inspect all buildings in-house, when this was not the case.
- The specific roles and responsibilities of employees performing building consent processing functions were not always recorded, and some employees did not fully understand their roles and those of others (eg, technical leaders).
- Information required for technically assessing the content of an application was not consistently provided by applicants or being requested by BCAs.
- Inappropriate use of suspension provisions for the statutory clock was noted.

CARs required

To respond to these issues, BCAs were asked to do one or more of the following.

- Develop and document a new (or review an existing) system that clearly identifies the building category of each building consent application, ensures records of such decisions are made, and ensures applications are consistently allocated to appropriately competent processing staff
- Strengthen the system for identifying the type of building control work that is outside the competence of in-house staff and needs to be allocated to external sources. For example, expand and clarify the building category matrix to show when specialist contractors will be used and for what types of work. Revise and implement the procedure for supervision during building consent processing
- Expand part of existing systems or procedures (eg, specifically requiring records of work classification decisions made for every application assessed)
- Provide better training to work allocation personnel, including additional training of building technical support officers to ensure buildings are categorised correctly. Some BCAs had to improve how they were communicating their system to staff and ensuring their systems were being consistently used
- Improve implementation of documented procedures for allocation of applications for processing by suitably competent staff and only allocate processing tasks to staff with the required competencies or under supervision from staff with the required competencies
- Review, revise, document and implement procedures for requiring information to support the building consent application and practices in respect of receipt and review of requested further information

Consent processing – establishing compliance (reg. (7)(2)(d)(iv))

Thirty-eight BCAs had to strengthen their processing and compliance checking policies and procedures. The main issues identified included the following.

- Decisions, reasons for decisions and outcomes of decisions made during the processing of building consent applications were not being recorded or not recorded in sufficient detail to justify decisions to grant building consents. It was observed to be common practice to cite conditions on building consent applications to compensate for information deficiencies in initial applications.

- Processing records for commercial buildings did not always demonstrate assessment of all relevant aspects.
- Shortfalls were identified with respect to processing checklists and associated technical information used by some BCAs. Checklists were found to be too broad in scope and headings too generic to ensure all aspects encompassed by each heading were considered by processors. Some files contained no processing checklist. Processing checklists did not identify how items for which further information had been requested had been satisfactorily addressed, and insufficient space was included on checklists for comments and justification for decisions made. Some processing checklists did not include questions on key sections of the Building Act, or cover all Building Code clauses.
- Processing of applications was not always conducted in accordance with BCAs' documented procedures.
- Applications for amendments to issued building consents were not being processed in accordance with documented procedures, and systems for managing consents did not adequately define the meaning of amendments (minor and major). Significant amendments were found to be made to plans that had not been approved through the processing system, and additional comments added to applications after telephone discussions with owners.
- Some BCAs' documented processes for dealing with producer statements were not implemented, and criteria for accepting producer statements were not followed consistently by BCAs, including not recording the reasons for accepting producer statements as evidence of compliance.
- Procedures for managing contractors and technical assessment were not implemented.
- Some BCAs' methodology did not ensure a building constructed in accordance with consented plans met the requirements of the Building Code. For example, granting consents on the basis that evidence of compliance would be sought and recorded during inspections.
- Inappropriate practice of removal of suspension of the statutory clock after receipt of requested information was noted.
- Processes requiring compliance schedule items be correctly identified prior to granting consents were not being completed. Specialist inspections were also not planned or agreed prior to issuing the building consent, and requirements for specialist inspections identified during processing were not recorded on the issued building consent.

CARs required

The CARs made in response to such issues usually asked BCAs to do one or more of the following.

- Review and/or develop and implement procedures and processes for consistently assessing a building consent for compliance with the Building Act and the Building Code. This must ensure decisions, reasons for decisions, and outcomes of decisions are adequately recorded
- Review and revise processing checklists to ensure appropriate records for all aspects of the Act and the Code for each application, including sufficient space to record, and implementation of improved recording of reasons for decisions on processing checklists
- Ensure procedures exist and are effectively implemented to ensure conditions on building consents are limited to those allowed by the Act and that notations, endorsements or conditions are not entered onto a building consent to compensate for deficiencies in the application
- Ensure procedures are documented and are effectively implemented to ensure received applications are complete and all information is available to justify approval and acceptance

(continued over)

CARs required (continued)

- Provide guidance material to staff to minimise the likelihood that important issues are missed during processing, and provide training to processing staff to ensure use of appropriate checklists, paying particular attention to requirements for recording of decisions, reasons for decisions, and outcomes of decisions and awareness of definitions of major and minor amendments. Ensure relevant staff are applying relevant guidelines and policy
- Comply with required timeframes. Review and revise procedure for removal of suspension of the statutory clock
- Review and revise the definitions of categories of amendments to clearly establish when a formal application must be made, and the process for managing amendments to consents
- Implement a technical review process following processing to ensure technical integrity
- Review the procedure relating to acceptance of producer statements, revise if appropriate and implement
- Review and revise the procedure for identifying and recording specialist inspection requirements on the building consent

- Granted building consent applications were not always being uniquely identified or stamped to show they were approved. Some had no signature, date, BC number, or approved stamp to indicate their status.
- Some BCAs were inadequately recording the outcomes of decisions to grant or refuse a consent. One BCA was using an out-of-date building consent approval document, which referenced the former Building Act 1991.
- Some building consent documents did not meet the requirements of the building forms regulations with key required information inconsistently recorded. Some building consents did not include space for decisions to be recorded or the date of decisions.
- Amendments to issued consents did not receive unique identification numbers, nor were they categorised or allocated to processing staff according to category or assessed competence.

Consent processing – granting, refusing, and issuing building consents (reg. 7(2)(d))(v))

Nineteen BCAs were required to improve their policies and procedures for granting, refusing to grant, and issuing building consents. Issues included the following.

- Conditions were sometimes cited on building consents where information deficiencies existed in the initial application or where information was added for clarity. Inappropriate conditions were being attached to building consents to make up for deficiencies in consent documentation, some of which were not legitimate conditions under the Building Act.
- Some consent applications had not been processed within the 20-day statutory timeframe, or the BCA had no means of demonstrating compliance with the statutory timeframe.
- Consent applications had been suspended for reasons outside building consent compliance requirements.

CARs required

The CARs made to resolve the above issues required BCAs to:

- review, revise and implement the procedures for granting, refusing to grant, and issuing building consents, including defining appropriate conditions that may be attached to a building consent, a procedure for attaching conditions, adequate identification of approved building consent documentation, and a stamp to indicate approval
- develop, document and implement effective systems to ensure consents are processed within the statutory timeframe
- provide evidence that the BCA has capability to measure processing times for consents
- review procedure for consent suspension and ensure it is clear that Building Code compliance shortfalls are the only reason for suspension
- review procedures and associated forms and checklists to ensure decisions are recorded
- review and revise procedures for granting consents and ensure outcomes are appropriately recorded
- develop a procedure to ensure amendments are individually identified, appropriately categorised and allocated to competent processing staff.

Planning, performing and managing inspections (reg. 7(2)(e))

Thirty BCAs were asked to strengthen how they were planning, performing and managing inspections of building work. Recurring issues were inspectors inconsistently recording the reasons for decisions and BCAs having inadequate procedures for notifying building owners of the outcomes of inspections conducted. Some BCAs were having difficulties ensuring inspections were consistently allocated to staff technically competent for the issue at hand and ensuring that checklists and site plans were adequate. Other less common problems are as follows.

- Owners were not being consistently advised of the required inspections, or specific inspections required for each unique building consent were often not being clarified.
- Procedures were limited for managing inspections for the more complex building projects such as multi-level and multi-unit developments.
- Training and information provided to inspection staff needed to be improved.
- Applicants often did not specifically agree to the use of producer statements as forms of evidence.
- Issued site instructions were often inadequate.

CARs required

BCAs were generally asked to do one or more of the following.

- Ensure inspectors record their reasons for decisions more soundly
- Review systems for advising owners of required inspections and the outcomes from inspections
- Create or revise better procedures for performing inspections, ensure that inspections are always allocated to technically competent inspectors, and ensure checklists and site plans are adequate
- Establish procedures for managing inspections of complex projects, such as multi-level and multi-unit developments
- Ensure appropriate information and training for staff
- Ensure inspections specific to each building consent are properly identified, recorded and carried out
- Obtain agreement from applicants over forms of evidence such as producer statements
- Review procedures for site instructions

Issuing of code compliance certificates and other documents (reg. 7(2)(f))

Thirty-seven BCAs needed to improve their policies and procedures around how they were issuing (or refusing to issue) code compliance certificates (CCCs), compliance schedules and/or notices to fix. Many BCAs lacked, or had inadequate procedures for, recording decisions to issue CCCs. Similarly, many of the same BCAs were not monitoring the process of issuing CCCs to ensure this was completed within the statutory timeframe.

Another common problem was a lack of systems for compliance schedules to define who had authority to issue these documents, and ensure compliance schedules were attached to the building consent and met the requirements of the Building Act.

Some BCAs were also issuing notices to fix inconsistently.

Other problems included:

- a lack of accurate information about CCCs, compliance schedules and building consents
- CCCs being issued before all requirements were completed
- staff not being properly trained for new procedures
- compliance schedules not being issued with CCCs when this was required
- reasons for decisions often not being documented.

CARs required

Many CARs required BCAs to develop new or revise existing procedures to better record decisions to issue CCCs or better monitor that CCCs were issued within the statutory timeframe. Another common CAR required the establishment or implementation of systems for compliance schedules defining who had authority to issue these documents, ensuring they were attached to the building consent and also ensuring the statutory requirements were met. A number of CARs also directed BCAs to improve and implement procedures to ensure notices to fix were issued consistently.

Other less common CARs required BCAs to:

- communicate accurate information about compliance schedules, CCCs and building consents to the public
- ensure records, checklists and other requirements were complete prior to issuing CCCs
- train staff properly for new procedures
- ensure compliance schedules were issued at the same time as CCCs
- consistently document reasons for decisions
- identify and document specified systems during processing of building consents.

Managing enquiries and complaints (reg. 7(2)(g) and (h))

Twenty-four BCAs needed to strengthen their policies and procedures around how they received and managed inquiries about their building control functions. Similarly, eight BCAs needed to improve their policies and procedures for receiving and managing complaints about their building control functions.

The main issue for both of these areas was that the BCAs had either not established, or had not implemented a system to manage enquiries and complaints. Many were also not recording enquiries or complaints.

The main CARs required BCAs to:

- establish a system to receive/manage enquiries or complaints
- ensure that all enquiries and complaints were recorded
- implement any documented procedures for managing enquiries and complaints
- ensure enquiries and complaints were passed to the BCA for action
- provide staff with adequate training for dealing with enquiries and complaints.

Summary of the recommendations

- Three hundred and ten recommendations were made about this regulation. Regulation 7 received the most recommendations across the whole assessment process nationally – around 240 more than any other regulation. Around a half of all recommendations made by IANZ were about regulation 7.
- The recommendations were spread across 70 BCAs (the majority of BCAs had more than three recommendations, nine had only two recommendations and five BCAs had one each).
- Thirty-nine of these BCAs were smaller/rural councils, 20 were medium-sized city/provincial councils, seven were large metropolitan city councils and three were regional councils.

Key themes from the recommendations

Providing information for applicants (reg. 7(2)(a))

Thirty-eight BCAs were asked to address issues regarding information for building consent applicants. Many BCAs received several recommendations under this regulation. The most common requests were for BCAs to expand the amount of information available to the public. This typically involved having more hard copy fact sheets and brochures at the reception area. Another common request was for BCAs to make the information they provided clearer and more understandable. Similarly, other BCAs were asked to add more detail and precision to the information they provided. Other requests involved:

- better educating applicants, in particular ensuring application forms were filled out correctly
- ensuring information provided is up to date and accurately describes regulatory requirements
- providing more information on the council's website
- better integrating information sheets with other documentation, for example using cross-referencing
- ensuring hard-copy versions of electronic documents were made available.

A third of the recommendations were classed as 'strong', although these were scattered evenly throughout the different issues.

Receiving applications for building consent (reg. 7(2)(b))

Fifteen BCAs were requested to address problems with receiving applications for building consent. There were no stand-out issues common to most of the BCAs under this regulation. Further, in many cases, issues arising under regulation 7(2)(c) (regarding vetting applications for compliance) were dealt with in tandem with 7(2)(b). Prominent recommendations involved:

- ensuring better training and preparation for staff who receive applications
- reducing the period of time between receiving and vetting applications
- reviewing and improving the efficiency of systems for receiving applications
- improving documentation of decisions to receive applications.

Checking that applications are compliant (reg. 7(2)(c))

Nineteen BCAs were asked to improve aspects of their procedures for ensuring applications complied with the Act/regulations. As noted above, some 7(2)(b) issues were dealt together with 7(2)(c) issues. These included reducing the period of time between receiving and vetting applications, and providing training for staff who deal with consent applications. Other recommendations included:

- changing procedures to reflect actual practice
- revising and improving the detail of checklists for vetting applications
- improving the quality of applications received, for example by having the applicant present when the application is checked prior to lodging.

Processing applications for building consent (reg. 7(2)(d))

Forty-two BCAs were requested to deal with issues regarding the assessing and processing of applications given in the correct form (as required under regulation 7(2)(c)). A few recommendations dealt with general issues under regulation 7(2)(d), whereas most focused on specific issues under parts (i)–(v).

- (i) The most prominent issue raised under regulation 7(2)(d)(i) was improving the communication of information about the status of the application.

- (ii) Issues raised under 7(2)(d)(ii) included ensuring a separation between assessment of applications and allocation of work, and ensuring the classification of applications was properly recorded.
- (iii) The main recommendation regarding 7(2)(d)(iii) was for BCAs to review their scheme for classifying applications in order to ensure staff allocated to process particular applications had the necessary competence.
- (iv) The largest number of recommendations received on regulation 7(2)(d) were on part (iv), regarding the substantive processing of applications for compliance under the Act, Code and regulations. The most common recommendations on this issue involved:
 - ensuring processing checklists were less ambiguous, more detailed (where important details were missing), more efficient, and compliant with current regulations
 - ensuring proper documentation and recording of decisions and reasons for decisions
 - improving the efficiency of processing applications by developing, for example, systems for investigating why processing times exceed the statutory timeframe.
- (v) A slightly smaller number of recommendations were given under 7(2)(d)(v), regarding granting, refusing to grant, and issuing building consents. Recommendations included:
 - ensuring the proper documenting of reasons for decisions
 - altering documents to resolve confusion over the terms ‘granting’ and ‘issuing’
 - creating or implementing procedures to improve compliance such as ensuring approved applications are properly marked.

Planning, performing and managing inspections (reg. 7(2)(e))

Forty-six BCAs were asked to take action on issues regarding inspections. Several major themes stood out amongst the recommendations, including:

- BCAs providing better and more information to applicants regarding what inspections would cover, and the results of inspections (for example by leaving copies of inspection reports on site)
- improving, clarifying, and updating inspectors’ checklists and inspection schedules (for example ensuring that all boxes were marked)
- ensuring inspectors were competent to perform inspections, and providing training to improve competency
- improving and updating documentation of procedures by adding further detail, and revising to reflect current practices
- ensuring all decisions and reasons for decisions were properly recorded.

Other common recommendations involved:

- ensuring procedures were applied consistently and required inspections were undertaken
- developing systems for dealing with failed inspections
- improving procedures for managing inspections
- clarifying policy matters, for example in relation to making amendments to consents
- clarifying how alternative means of approving consents, such as producer statements, are managed and applicants’ consent obtained.

Issuing and refusing to issue code compliance certificates and other documents (reg. 7(2)(f))

Twenty-nine BCAs were given recommendations under this regulation – which involves the issuing of code compliance certificates (CCCs), compliance schedules and notices to fix. The most common recommendations were:

- requiring applicants to formally apply for CCCs and supply sufficient information to the BCA
- improving information and training available to BCA employees in regard to issuing these documents
- only issuing CCCs after the decision to issue is made and after all other requirements have been addressed (such as ensuring notices to fix have been complied with)
- clarifying procedures and ensuring the consistent and correct use of terms
- establishing a system to ensure CCCs cover all aspects required of them, for example by ensuring CCCs are peer reviewed by officers who did not perform the inspection
- improving documentation of procedures, linkages between procedures and implementation of procedures.

Receiving and managing enquiries and complaints (reg. 7(2)(g) and (h))

Eighteen BCAs needed to strengthen their policies and procedures around how they received and managed enquiries about their building control functions. Similarly, 20 BCAs needed to improve their policies and procedures for receiving and managing complaints.

Most of the recommendations made under these regulations were very similar, since systems for managing both enquiries and complaints tended to be identical. Common recommendations included maintaining records of enquiries and complaints, introducing formal procedures or revising procedures regarding enquiries and complaints. In some cases procedures needed to be made more detailed and able to differentiate between types of enquiry or complaint. Other recommendations involved:

- providing more information and training to staff handling enquiries/complaints
- ensuring documented procedures were followed properly in all offices.

Summary of key findings for regulation 7

- Nearly every organisation needed to make some improvement to the policies and procedures they had for performing their building control functions. Most BCAs received multiple CARs and /or recommendations about regulation 7.⁷
- Regulation 7 accounted for around one third of all CARs raised in the initial assessment reports of the 75 territorial authorities and regional councils assessed. Around 200 more CARs were made about regulation 7 than any other regulation.
- Likewise, regulation 7 accounted for around a half of all the recommendations made in the initial assessment reports of the 75 territorial authorities and regional councils assessed. Around 240 recommendations were made about this regulation than any other regulation.
- Around three quarters of all organisations needed to enhance the consumer information they were providing about the building consenting, inspection, and approval process (reg 7(2)(a)).
- Around a third of organisations needed to improve how they were receiving and/or initially vetting building consent applications to ensure they complied with the Building Act and regulations (reg. 7(2)(b) and (c)).
- Around a half of all organisations assessed needed to strengthen their policies and procedures for assessing the content of consent applications and/or allocating them to an appropriate processor (reg. 7(2)(d)(ii) and (iii)).

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⁷ 74 of the 75 organisations assessed received **at least** one CAR and/ or one quality recommendation in their initial assessment reports (most received both). Given the range of different requirements in regulation 7, many organisations received multiple CARs and/or quality recommendations focusing on different parts of regulation 7.

Summary of key findings for regulation 7 (continued)

- Around two thirds of all organisations needed to strengthen their policies and procedures for assessing building consent applications they had accepted for compliance with Building Act and Building Code (reg. 7(2)(d)(iv)).
- Around 40 percent of organisations needed to strengthen their policies and procedures for deciding whether to grant a building consent application (or refuse it) and then issuing the building consent (reg. 7(2)(d)(v)).
- Around three quarters of organisations needed to strengthen how they were planning, performing and managing their building inspections (reg. 7(2)(e)).
- Around three quarters of all organisations needed to improve their policies and procedures for issuing (or refusing to issue) code compliance certificates, compliance schedules and/or notices to fix.
- Around a half of organisations needed to strengthen their policies and procedures for receiving and managing enquiries (reg. 7(2)(g)).
- Around a third of organisations needed to strengthen their policies and procedures for receiving and managing complaints.

ENSURING ENOUGH EMPLOYEES AND CONTRACTORS (REGULATION 8)

Purpose of regulation

Regulation 8 is intended to help ensure building consent authorities have enough personnel in place (through fulltime, part-time or contracted personnel or external organisations) to deliver all of their functions and duties.

REGULATION 8: Ensuring enough employees and contractors

- (1) A building consent authority must have a system for ensuring that it has enough employees and contractors to perform its building control functions.
- (2) A building consent authority must have a system for assessing the need to employ contractors if it does not have enough employees to perform its building control functions.

Note: Regulation 8 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Sixty-one CARs were made about regulation 8.
- Regulation 8 was also raised as an issue in around eight other CARs that were made about the other regulations.
- The CARs were spread across 52 BCAs. Nine BCAs had two CARs each and the remaining 41 had a single CAR only. 26 BCAs were smaller/rural councils, 17 were medium-sized city/provincial councils, and six were larger metropolitan city councils. Three were regional councils.

Key themes from the CARs

Capacity limitations (reg. 8(1))

The main theme observed across the assessment process was that many BCAs throughout the country did not have sufficient capacity (either in-house staff or contractors) to meet the volume of work they were faced with.

The main indicator IANZ used to assess BCAs against this regulation was whether BCAs were consistently meeting the timeframe in the Building Act 2004 for processing building consent applications (20 working days). Thirty-four BCAs had CARs raised because they were not consistently meeting consent processing timeframes.

Need for an improved system to ensure enough capacity

Around 25 BCAs needed to strengthen their overall systems for ensuring they had enough staff and/or contractors. Many of the shortcomings found were quite generic in that BCAs had to either actually define and document their system, revise parts of the existing system, or better implement their existing system for assessing and managing their capacity so the necessary resources are in place for the BCA to perform its functions.

Some of these BCAs also needed to document their decision-making around assessing capacity and identifying what they were going to do to ensure they had enough capacity, and manage such capacity across peaks and troughs in work volumes.

Contractors

Regulation 8 inherently recognises that BCAs' capacity can come from both in-house employees and external sources such as contractors. Around 18 BCAs had CARs raised under regulation 8 relating to their systems and process around assessing the need for contractors. The main issues included the need to:

- formalise contracts or agreements with contractors
- clearly define the work to be undertaken in-house and the work to be contracted out
- identify what work the BCA actually had the capacity and/or competence to undertake in-house and the tasks for which it lacked either and needed to consider using contracted support
- improve systems for ensuring the competence of producer statement authors (although this is more properly dealt with under regulation 12).

A number of reports discussed the inter-related issue of technical competency under regulation 8 (which is arguably predominantly about **capacity** or having **enough** staff and/or contractors, as opposed to **competency**, which is covered under regulations 9, 10 and 12). Around 11 BCAs had CARs raised under regulation 8 about their internal competency to undertake certain work.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Reviewing and analysing the reasons why they were not consistently meeting statutory timeframes for processing and issuing building consents
- Strengthening how they monitored ongoing compliance with statutory timeframes
- Ensuring systems and procedures developed to ensure capacity are actually documented (in line with regulation 5) and are being consistently followed
- Clearly defining the core functions to be undertaken by in-house employees and those for which external capacity is to be relied upon
- Clearly defining which functions they have the requisite technical competence to actually undertake
- Formalising arrangements (contracts or other agreements) with contractors to provide the necessary capacity
- Demonstrating that their strategy is being effectively implemented by providing regular reports to IANZ

Summary of the recommendations

- Eighteen recommendations were made about this regulation.
- The recommendations were spread across 14 BCAs (four BCAs had two recommendations each). Six of these BCAs were smaller/rural councils, six were medium-sized city/provincial councils, one was a large metropolitan city council and one was a regional council.

Key themes from the recommendations

The main issues noted across the 18 recommendations included the following.

- Seven BCAs were asked to improve and/or maintain their systems for ensuring building consents were processed within the 20-working-day statutory timeframe. In some cases, certain procedures simply needed to be formalised, while in other cases recruitment plans needed to be reviewed/developed/implemented.
- Twelve of the recommendations involved creating or improving other systems for assessing and managing capacity limitations. New strategies included contingency plans for dealing with potential future capacity problems (such as where planning restrictions on different types of buildings are removed). In some cases, skills assessment categories for employees and contractors needed to be improved. Some of the BCAs were simply asked to implement existing systems.

Summary of key findings for regulation 8

- Over a half of all organisations assessed had capacity limitations (either in-house staff or contractors) to meet the volume of work they were faced with.
- Around a half of all organisations assessed needed to strengthen their systems for assessing and managing their capacity needs (from internal and/or external sources).

ALLOCATING WORK TO COMPETENT EMPLOYEES OR CONTRACTORS (REGULATION 9)

Purpose of regulation

Regulation 9 is intended to ensure all building control functions are carried out by appropriate persons, to improve the quality of decisions, and to prevent duplication of effort. It aims to help ensure people work within their technical ability.

REGULATION 9: Allocating work to competent employees or contractors

A building consent authority must have a system for allocating its building control function work to employees or contractors who are competent to do the work.

Note: Regulation 9 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Twenty-four CARs were made about this regulation.
- Regulation 9 was also raised as an issue in around 15 other CARs that were made about the other regulations.
- The CARs were spread across 24 BCAs. Thirteen of these BCAs were smaller/rural councils, nine were medium-sized city/provincial councils, and one was a larger metropolitan city council. One was a regional council.

Key themes from the CARs

Basis for allocating work

The most common theme that emerged under this regulation was that some BCAs needed to improve the basis upon which they were allocating work. Many BCAs use a system where they define different types of building categories (eg, according to complexity of the building) and allocate building control work according to the skills, competencies and experience of their staff/contractors to competently undertake work under each category.

Eighteen BCAs needed to improve how they were allocating work. The main issues included:

- building categories that were not clearly defined, did not include all building types, or were too broad and overlapped
- building categories used to allocate work that did not clearly link with tools used in the competency assessment process (eg, categories used in competency assessments or those used in skills matrices to document staff competencies)
- categories used for allocating work that did not match the types and nature of the work undertaken by the BCA
- some BCAs using more than one categorisation system.

Inappropriate allocation of work

Seven BCAs needed to better ensure work was only allocated to staff who were competent to undertake it. It was evident that a number of BCAs had allocated work to people whose competence had not actually been assessed or who were working outside their assessed competence levels. Additionally, some BCAs needed to better assess and define what work the BCA's building control unit as a whole was competent to undertake (and what type of work needed to be contracted out to external providers who had the requisite competence).

Personnel's understanding of the system

At least five BCAs needed to better ensure the systems they were using to allocate work were appropriately communicated to and understood by their staff – including both those who were responsible for allocating work and those who received the work to do. In some instances, this meant that building consent applications were categorised incorrectly or those performing building control functions did not clearly understand which buildings they had been assessed as competent to process and/or inspect.

Supervision

Three BCAs needed to strengthen how they were supervising staff that were undertaking certain tasks. Issues included:

- ensuring supervision was actually being provided
- clearly documenting when supervision was needed and had taken place.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Review their system for allocating work and make any necessary changes to ensure work is allocated according to competence
- Revise their system to ensure all building types are covered and clearly show what work the BCA has the competence to undertake, and what type of work is outside the BCA's capability and requires additional resources
- Better link their work allocation system to their competency assessment system
- Ensure staff fully understand the work allocation system
- Implement the system to ensure work is only allocated to people who have the assessed competence to perform it (for both processing and inspection)
- Use the skills matrix to assess the areas where external contractors will be required
- Better record work allocation decisions

Summary of the recommendations

- Only nine recommendations were made about this regulation, making it one of the regulations with the least number of recommendations. Nine separate BCAs received recommendations under this regulation.
- Five of these BCAs were smaller/rural councils and four were medium-sized city/provincial councils.

Key themes from the recommendations

The main issues raised in the recommendations under this regulation were that the BCAs in question should:

- review their means of work allocation by considering building categories that were based on building complexity and introducing inspection categories as well as consenting categories
- review how they allocated work to processors and inspectors to ensure appropriately competent people were always given the work
- incorporate sounder peer review processes into work programmes to ensure consistency.

Summary of key findings for regulation 9

- Around one in three organisations needed to either improve the theoretical basis by which they were allocating building control work to competent people (eg, using building categories), the linkages with their competency assessment system (under regulation 10), or their staff's understanding and use of their system.

ESTABLISHING AND ASSESSING COMPETENCE OF EMPLOYEES (REGULATION 10)

Purpose of regulation

Regulation 10 is intended to help ensure all building control activities are carried out directly by, or under the effective supervision of, staff of proven competence and experience for the task at hand.

REGULATION 10: Establishing and assessing competence of employees

- (1) A building consent authority must have a system for establishing the competence of a person who applies to it for employment as an employee performing building control functions.
- (2) A building consent authority must have a system for regularly assessing the competence of its employees performing building control functions.
- (3) The competence assessment system must cover the following:
 - (a) employees' understanding of the philosophy and principles of building design and construction; and
 - (b) employees' understanding and knowledge of building products and methods; and
 - (c) employees' knowledge and skill in applying the Act, the building code, and any other applicable regulations under the Act; and
 - (d) employees' ability to—
 - (i) process applications for building consents; and
 - (ii) inspect building work; and
 - (iii) certify building work; and
 - (e) employees' ability to communicate with internal and external persons; and
 - (f) employees' ability to comply with the building consent authority's policies, procedures, and systems.

Note: Regulation 10 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Sixty-one CARs were made about this regulation.
- Regulation 10 was also raised as an issue in around nine other CARs that were made about the other regulations. Regulation 10 was, therefore, an issue for the majority of organisations assessed.
- The CARs were spread across 56 BCAs (five of the BCAs had two CARs each). Twenty-nine of these BCAs were smaller/rural councils, 18 were medium-sized city/provincial councils, and seven were larger metropolitan city councils. Two were regional councils.

Key themes from the CARs

Competency assessment of new employees (reg. 10(1))

Seven of the BCAs needed to improve their systems for establishing the competence of potential new employees who apply for employment. Two of these BCAs were reported to have no procedure in place and five had no documented process.

Inadequate competency assessment systems (reg. 10(2) and (3))

Thirty-three BCAs were required to improve at least one or more aspects of their competency assessment processes.

- The main issue was that approximately half of these BCAs (15) had not adequately covered all categories identified in regulation 10(3) in the assessment. Whilst some of the reports referred to specific clauses that were not being met, some did not and only made general statements that the organisation needed to comply with all of the requirements of the regulation.

- Thirteen of the BCAs were found to have inconsistencies across their systems. More particularly, six of these had skills matrices that did not reflect the outcomes of the competency assessments and seven were found to have competency assessment procedures that did not match the building categorisation systems in use.
- A further four had not defined the frequency with which competency assessments should be performed.

Incomplete competency assessments

Nineteen of the BCAs still needed to complete the competency assessment process for all of their staff. Some of these still needed to carry out the assessment process with most of their staff, while others only needed to carry out or complete a small number.

Inadequate evidence and records

Thirty-six of the BCAs needed to improve their record-keeping systems regarding competency assessment, in keeping with Regulation 6. Many BCAs had insufficient records of competency assessments and/or a lack of evidence to support the reasons for the competency assessment decisions made and validate the values in the skills matrix.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Review the system for establishing the competence of persons applying for employment with the BCA
- Review the system for regularly assessing the competence of employees
- Develop a competence assessment system or revise part of the current system to remedy limitations or to ensure all components of regulation 10(3) are fulfilled
- Better document the competency assessment system (or components of it)
- Ensure the system is implemented in a way that is consistent with the documented process (and evidence is produced to show this)
- Complete work under the different parts of the regulation
- Better record decisions made under the system, their reasons, and key outcomes

Summary of the recommendations

- Thirty-three recommendations were made about this regulation.
- The recommendations were spread across 27 BCAs (four BCAs had two recommendations each and one BCA had three recommendations). Seventeen of these BCAs were smaller/rural councils, seven were medium-sized city/provincial councils, and three were large metropolitan city councils.

Key themes from the recommendations

Improvements needed for competency assessment systems (reg. 10(2) and (3))

BCAs were asked to improve at least one or more aspects of their competency assessment system. The main focus of the recommendations included:

- reviewing the questions used in the assessment process to ensure they correspond to each of the requirements in clauses 10(3)(a) to (f)
- matching the categories of building used to underpin the assessment of competence to the Building Code, or reviewing the building categories to better reflect organisational needs, their skills matrix values, or individual competency
- identifying the frequency with which competency assessments would be made and, in one case, considering how competency assessments will be conducted in the long term
- undertaking more regular peer review and observation of relevant activities as part of competency assessments
- ensuring the competence of all staff is established before work is allocated (including temporary or occasional staff)
- better recording criteria for assessment, evidence of decisions, and outcomes to improve the detail, quality and transparency of the process.

Summary of key findings for regulation 10

- A number of organisations had some form of system to assess the competence of their staff at the time of their assessment. However, improvements were often needed. The main areas are as follows.
 - Around a half of all organisations needed to better document their competency assessment system, or improve the records they were making of the assessments, the outcomes from such assessments, or the reasons for decisions around competency levels, etc.
 - Around a half of all organisations needed to ensure their competency assessment systems met all of the requirements of the regulations, or more clearly drew out the linkages between their systems and the regulations.
 - At least one in four organisations had not completed their competency assessment process for all of their building control staff.

TRAINING EMPLOYEES (REGULATION 11)

Purpose of regulation

Regulation 11 requires building consent authorities to have documented training systems. This will help ensure all employees who undertake technical jobs are provided with training to enable them to acquire all necessary knowledge and skills to perform the relevant building control activities competently.

REGULATION 11: Training employees

- (1) A building consent authority must have a system for training its employees who perform the authority's building functions by doing a technical job.
- (2) The system must cover the following:
 - (a) making regular training needs assessments; and
 - (b) preparing training plans that specify the training outcomes required; and
 - (c) ensuring that employees receive the training agreed them; and
 - (d) monitoring and reviewing employees' application of the training they have received, including by observation of relevant activities; and
 - (e) supervising employees under training; and
 - (f) recording employees' qualifications, experience, training; and
 - (g) recording continuing training information.

Note: Regulation 11 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Fifty CARs were made about regulation 11.
- Regulation 11 was also raised as an issue in around 16 other CARs that were made about the other regulations. This means that regulation 11 was raised as an issue for at least two thirds of the organisations assessed.
- The CARs were spread across 48 BCAs. Three BCAs had two CARs each and the remaining 45 had one CAR only. Twenty-eight of these BCAs were smaller/rural councils, 16 were medium-sized city/provincial councils, two were larger metropolitan city councils and two were regional councils.

Key themes from the CARs

Establishing a training system (reg. 11(1))

Most BCAs had some form of training system in place. Almost all CARs raised across regulation 11 were because a given BCA's training system did not fully meet one or more of the requirements set out in regulation 11(2)(a) to (g), which sets out the seven minimum requirements that all training systems must cover. The key findings about each are set out under the headings below.

Some BCAs needed to strengthen their overall systems for training their staff under this regulation. BCAs were commonly asked to:

- better document their actual training system (or a component of it)
- record the key decisions made under their training systems (and their reasons and outcomes) as required by regulation 6
- better implement all or parts of their system (ie, even if some had documented a relatively a sound system that met the regulation).

A number of broad CARs were therefore raised in response to such findings. For example:

- seven BCAs were asked to better document their training system to meet all of the requirements of the regulation, but were not specifically provided further detail about what parts of the regulations were not being met
- eleven CARs acknowledged that the BCAs had established training systems that appeared to meet most (or all) of the general requirements of regulation 11, but asked for documented evidence that these were being implemented.

Training needs assessments (reg. 11(2)(a))

Eleven BCAs needed to strengthen the part of their training system which assessed training needs.

The main issues included the following.

- Some BCAs had not undertaken training needs assessments or, if they had, they had not recorded this sufficiently (this included needs assessments for either individuals or the BCA as a whole).
- Training needs assessments that had been carried out were sometimes not then being reflected in training plans.
- There was a need for better implementation of documented needs assessment procedures.

Training plans that specify outcomes (reg. 11(2)(b))

Twenty-four BCAs needed to improve the parts of their training system around how they prepared training plans, including specifying training outcomes in such plans. The main issues included the following.

- Training plans had sometimes not been developed (or there was no documented evidence to show they had).
- Some plans did not contain desired training outcomes.
- Some plans did not detail when training would actually happen.
- Some plans did not adequately link back to training needs.

Ensuring that employees receive the agreed training (reg. 11(2)(c))

Six BCAs needed to undertake work to better ensure training was being delivered to employees or that, if it had, it was being recorded to show that it had actually happened.

Monitoring and reviewing employees' application of training (reg. 11(2)(d))

The most common finding under regulation 11 was that many BCAs (27) needed to improve their system for monitoring that training was actually being applied by those who had undergone the training. The main issues included the following.

- The system did not describe how this monitoring would occur.
- No records were found about what monitoring had occurred (if any).
- There was a need for clearer linkages between training and competency assessments.
- Monitoring processes were not being consistently implemented.

Supervising employees under training (reg. 11(2)(e))

Fourteen BCAs were specifically asked to strengthen the part of their training system that covered how they supervised staff who were being trained. The main issues included the following.

- The training system did not include a supervision component or it did not adequately describe how supervision would actually occur (including describing the difference between direct or indirect supervision).
- Adequate supervision was not being provided (eg, technical checks were provided for work undertaken by staff under supervision).
- Decisions about supervision were not being recorded.
- The documented system was not being implemented.

Recording experience, training, and training information (reg. 11(2)(f) and (g))

Only a small number of BCAs were asked to make improvements to meet these two requirements. The main issues included the following.

- Some BCAs' systems did not include these requirements or they needed to be enhanced because they covered only some of the requirements, but not others.
- The need to better record such information.
- The need to include both informal in-house training, mentoring etc, as well as more formal training.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Better document their training system (or components of it)
- Revise a part of their training system to remedy limitations or to ensure all components of regulation 11 are fulfilled
- Ensure the system is implemented in a way that is consistent with the documented process (and evidence is produced to show this)
- Complete work under the different parts of the regulation (eg, actually undertake needs assessments, produce training plans, monitor training, etc)
- Better record decisions made under the system, their reasons, and key outcomes

Summary of the recommendations

- Fifty-eight recommendations were made about this regulation.
- The recommendations were spread across 39 BCAs (seven BCAs had two recommendations each, three BCAs had three recommendations, and two BCAs had four recommendations). Twenty-four of these BCAs were smaller/rural councils, 11 were medium-sized city/provincial councils, two were large metropolitan city councils, and two were regional councils.

Key themes from the recommendations

Training needs assessments (reg. 11(2)(a))

Around 11 BCAs were asked to review and improve the part of their training system that assessed training needs. The following recommendations were made across these BCAs.

- Including more detail to their training needs assessments
- Ensuring training needs assessments are undertaken for individuals as well as the organisation as a whole
- Including the criterion for establishing a training need in the training documentation
- Recording each identified training need on a separate form to enable sign-off of the completion of training
- Focusing training needs assessments on the specific needs of the individual and the organisation rather than on the availability of formal courses
- Capturing, and translating into training plans, training needs identified through the consent processing peer review process
- Broadening the definition of training received to include any activity (formal and informal) that broadens or deepens employees' understanding and skills, and recording all significant learning activities

Training plans that specify outcomes (reg. 11(2)(b))

Eight BCAs were recommended to improve their training plans. Six were encouraged to ensure specific training outcomes required for individuals are identified and clearly recorded so as to establish the effectiveness of training. Other BCAs were recommended to clearly identify how compliance with regulation 11(2)(d) – monitoring of training – will be achieved in their training plans or to consider incorporating organisational training needs into the training plan on completion of all competence assessments.

Ensuring that employees receive the agreed training (reg. 11(2)(c))

In three instances, BCAs were advised to ensure records of training are signed by both the individual to whom they apply and the trainer or supervisor to provide evidence that the training was provided and was considered effective by the individual.

Monitoring and reviewing employees' application of training (reg. 11(2)(d))

Around 20 BCAs were asked to enhance their monitoring of training activities and employees' application of training provided. The most common recommendations were that BCAs should:

- develop and implement a robust programme for monitoring the effectiveness of training as soon as training is undertaken
- review the training system to ensure all training triggers a requirement for observation of relevant activities for the purpose of verifying the effectiveness of training
- ensure records are kept of monitoring activities, including the review of relevant activities, and should include conclusions on the effectiveness of specific training for individuals to inform future decisions on the use of training methods.

Other recommendations made for BCAs included:

- ensuring both internally and externally sourced training is evaluated by trainees and management
- monitoring upcoming work to ensure employee training received is observed as being applied in the workplace
- implementing a mechanism to ensure appropriate records of training activities are made to ensure adherence to clauses (c) and (d)
- weekly training being delivered or presented by personnel who have already received the training, to demonstrate the effectiveness of it.

Supervising employees under training (reg. 11(2)(e))

Around six BCAs received recommendations around ensuring appropriate employee supervision. Issues included defining the level of supervision required at different stages of training, defining a means of moving from one level of supervision to another, and including a trigger for effective supervision of all employees during all training. It was also suggested that records of direct supervision be kept as training records and that a system identifying the supervision requirements of trainees be implemented. One BCA was advised to use the skills of employees on site to provide on-site training for staff under supervision.

Recording experience, training, and training information (reg. 11(2)(f) and (g))

Around 13 BCAs received recommendations about this requirement. The most common theme was that BCAs would benefit from formalising their system of training records to encourage employees to record relevant ongoing experience, as well as attendance at formal courses and continuing professional development that help to broaden or deepen the knowledge and understanding of BCA-related areas.

Other recommendations made included that:

- monthly records of continued training be kept up to date for all BCA personnel
 - records of direct supervision be kept as training records
 - supervision of trainees be appropriately documented
 - where training records identify a peer review process, the inspection or processing records that were peer reviewed are identified and noted on the training records so as to establish a robust audit trail
- formal training records be expanded to provide a comprehensive record to fulfil the requirements of the regulations and to help ensure they are meaningful at a later date
 - a more structured system for training records be developed to ensure that all necessary information is captured
 - the section of the form used to record the provision of training should either be completed as required or deleted as unnecessary if there is other evidence indicative that training has been given.

Summary of key findings for regulation 11

- A number of organisations had training systems in place at the time of their assessment. Many, however, did not completely meet all of the requirements of this regulation. The main areas where improvement was needed are as follows.
 - Around two thirds of all organisations needed to strengthen how they were ensuring training was actually being applied in practice by those who had undergone the training (eg, monitoring and reviewing application of training).
 - Around one in four organisations needed to bring greater rigour to how they were assessing the training needs of personnel in their building control units.
 - Around 40 percent of organisations needed to improve how they prepared their training plans and/or the content of their plans (including specifying training outcomes in their plans).
 - Around one in four organisations were asked to enhance their system for supervising employees under training.

CHOOSING AND USING CONTRACTORS (REGULATION 12)

Purpose of regulation

Regulation 12 requires that building consent authorities have a system to ensure contractors:

- are used when in-house capacity or capability is not sufficient
- only undertake work within established competencies
- are engaged formally with documented terms and conditions that define the scope of work
- have their performance monitored with appropriate action taken in cases where performance is unsatisfactory.

Regulation 12 will also help ensure building consent authorities follow good contract management practice.

REGULATION 12: Choosing and using contractors

- (1) A building consent authority must have a system for choosing and using contractors to perform its building control functions.
- (2) The system must cover the following:
 - (a) establishing contractors' competence; and
 - (b) engaging contractors; and
 - (c) making written or electronic agreements with contractors; and
 - (d) recording contractors' qualifications; and
 - (e) monitoring and reviewing contractors' performance; and
 - (f) regularly assessing contractors' competence.

Note: Regulation 12 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Fifty-six CARs were made about regulation 12.
- Regulation 12 was also raised as an issue in around 12 other CARs that were made about the other regulations. This means that regulation 12 was raised as an issue for at least three quarters of the organisations assessed.

- The CARs were spread across 49 BCAs. Seven BCAs had two CARs each and the remaining 42 had one CAR only. Twenty-eight of these BCAs were smaller/rural councils, 15 were medium-sized city/provincial councils, five were larger metropolitan city councils and one was a regional council.

Key themes from the CARs

General comments

Some BCAs needed to strengthen their overall systems for choosing and using contractors under this regulation. Around 14 BCAs were therefore asked to either:

- better document their overall systems for choosing and using contractors (no specific mention was made of the 6 requirements in regulation 12(2)(a) to (f)), or
- better record the key decisions made under their training systems (and their reasons and outcomes) as required by regulation 6, or
- implement all or parts of their system.

More specific issues that were raised about one of the six mandatory requirements in this regulation (as described in subclauses 12(2)(a) to (f)) are discussed under the headings below.

Establishing and/or assessing contractors' competence (regs. 12(2)(a) and (f))

Nine BCAs needed to improve how they were initially establishing the competence of contractors to provide the services they required (reg. 12(2)(a)). Nine BCAs needed to strengthen how they periodically assessed contractors' competence to ensure they remained competent (reg. 12(2)(f)). Limitations observed included that:

- some documented systems did not define how competence would be initially established and/or regularly assessed

- some BCAs had not established/assessed competence for some of their contractors (or had no records to show how they had attempted to do so)
- information relevant to assessing competence was not being sought or recorded (eg, qualifications and experience of contractors relevant to the work in question).

More specifically, 25 BCAs needed to strengthen how they were accepting producer statements for use in their building control decision-making. The main issues included that:

- some BCAs' systems did not document how the competence of producer statement authors was to be established and the content of the producer statements considered
- some systems had been documented but had weaknesses (eg, registers of approved producer statement authors were incomplete)
- records were not being created to document decisions about competency
- evidence was found that authors' competence had not actually been considered before producer statements were accepted.

Engaging contractors and entering into agreements with them (reg. 12(b) and (c))

In many cases, BCAs used staff from other parts of their parent territorial authority to assist in undertaking their building control work.

Twenty-one BCAs were asked to formalise arrangements with other parts of their wider organisation (eg, council call centres, IT staff, HR departments, and other support staff).

Such arrangements could include memoranda of understanding or service level agreements, etc.

A small number of BCAs needed to strengthen how they are engaging external contractors. Examples included improving their contracts to better set out the scope of deliverables required and clear performance expectations, or ensuring all contractors actually had contracts. Other issues noted were the lack of a system for engaging outside contractors and the need to keep registers of consultants updated.

Recording qualifications (reg. 12(2)(d))

A small number of BCAs needed to better record the qualifications of contractors they used.

Performance monitoring (reg. 12(2)(e))

Eighteen BCAs needed to enhance their system for choosing and using contractors to include monitoring and reviewing contractors' performance. Issues included:

- needing to clearly document how such monitoring is to occur
- determining performance criteria or measures to gauge performance
- ensuring performance monitoring is actually undertaken
- recording the outcomes of such monitoring.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Better document their system (or components of it)
- Revise a part of their system to remedy limitations or to ensure all components of regulation 12 are fulfilled
- Ensure the system is implemented in a way that is consistent with the documented process (and produce evidence to show this)
- Complete work under the different parts of the regulation (eg, actually establish contractors' competence, formalise processes for engaging contractors, or monitor the performance of contractors used, etc)
- Better record decisions made under the system, their reasons, and key outcomes

Summary of the recommendations

- Thirty-four recommendations were made about this regulation.
- The recommendations were spread across 23 BCAs. One BCA had four recommendations, two BCAs had three recommendations, four BCAs had two recommendations each and the remaining 16 BCAs had one recommendation each.
- Eleven of these BCAs were smaller/rural councils, eight were medium-sized city/provincial councils, two were large metropolitan city councils and two were regional councils.

Key themes from the recommendations

Producer Statements

Seventeen recommendations focused on producer statements. The main issues that were highlighted included:

- distinguishing between producer statements required for compliance decision (critical) and those used as supporting or additional information (informative)
- using a risk assessment process to assess whether a peer review is required
- defining more specifically the information required to accompany the producer statement (eg, engineering calculations) and ensuring the producer statement contains the required information
- streamlining the processes for establishing the credentials of producer statement authors and recording the reasons why personal references are used to confirm these credentials when this happens
- recording the grounds on which BCAs decide to accept the judgement of a third party (producer statement author) as the sole means of establishing compliance, including the use of statutory registers
- performing regular internal audits of accepted producer statements and their authors
- describing how the BCA will consider and weight producer statements for proprietary products.

Formalising Relationships

Three recommendations to BCAs dealt with the need to establish or document formal agreements. In two cases, this referred to relationships with other departments within the council and, in one case, to agreements with service providers, under regulation 12(2)(c). Clarifying expectations of performance and the measurement of outcomes were noted as aspects of the relationships that should be formalised.

Monitoring and Review (reg. 12(2)(e))

There were four recommendations to BCAs to improve their monitoring and review of contractors' work. Specific recommendations included introducing an evaluation system for internal contractors and better documenting audit methodologies.

Contractors' competence (reg. 12(2)(a))

A small number of recommendations were made to ensure appropriate consideration is given to contractors' fields of practice, the intent of the organisation, and the scope of activities for which the contractor has competence.

Miscellaneous Issues

Other recommendations highlighted, across one or two BCAs included:

- implementing a procedure for choosing and using contractors (regulation 12(1))
- documenting an alternative means of establishing competence in case criteria are not finalised by the time applications are received
- completing a register of contractors
- implementing systems that have been developed but are not being used
- ensuring contractors have agreements (regulation 12(2)(c))
- maintaining a central register of activity
- ensuring service level agreements contain more details on specific performance requirements.

Summary of key findings for regulation 12

- Around a half of all organisations needed to strengthen how they were accepting and applying producer statements from external experts in their compliance decision-making.
- Around one in three organisations had to improve their overall systems for choosing or using contactors or bring greater rigour to how they assessed the initial or ongoing competence of contractors.
- Around one in three organisations had to improve how they were monitoring the ongoing performance of contractors they were using.
- Around one in three organisations needed to establish more formalised arrangements with other parts of the council they relied on for services (eg, MoUs, contracts, service level agreements, etc) because they were effectively using those other parts of the council as contractors.

ENSURING TECHNICAL LEADERSHIP (REGULATION 13)

Purpose of regulation

Regulation 13 requires that building consent authorities have a system to allocate responsibility for technical leadership to specific roles. Designating technical leadership will ensure building consent authorities have people available with a sufficient level of technical knowledge to provide advice and support on the technical decisions made by other employees or contractors.

REGULATION 13: Ensuring technical leadership

A building consent authority must have a system for—

- (a) identifying employees and contractors who are competent to provide technical leadership; and
- (b) giving the employees and contractors the powers and authorities to enable them to provide the leadership.

Note: Regulation 13 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Forty CARs were made about this regulation, making it one of the regulations with the least corrective actions raised by IANZ across all BCAs.
- Regulation 13 was also raised as an issue in around 13 other CARs that were made about the other regulations.
- The CARs were spread across 39 different BCAs. Twenty-four of these BCAs were smaller/rural councils, 10 were medium-sized city/provincial councils, and two were larger metropolitan city councils. Three were regional councils.

Key themes from the CARs

Appointing technical leaders based upon competence

The most common issue identified under this regulation was that some BCAs needed to strengthen their system for ensuring technical leaders were appointed based on their actual technical building control competency. Nineteen CARs were raised to signal issues that needed to be resolved here. A number of BCAs could not sufficiently demonstrate how the appointment of a given technical leader was justified based upon their organisational competency assessment system. For example, some technical leader appointments did not appear to be justified based upon the results of the person's competency assessment or were inconsistent with the person's skillsets as recorded in the BCA's technical skills matrix. Some technical leaders were appointed when there was no documented evidence to show they had ever undergone a competency assessment. Some technical leaders had been appointed when they were not the person with the most competence in a particular area in the organisation.

Scope of technical leadership

Twenty BCAs needed to remedy issues relating to the scope of their technical leadership. The main examples of this included:

- BCAs not identifying technical leaders for all Building Code clauses, building categories, or key building control functions (ie, there were gaps in coverage)
- the boundaries between different technical leaders' scope of leadership responsibility sometimes being unclear
- some BCAs needing to formalise the appointment of those technical leaders external to their organisation (if used) and/or to clarify just what they would be responsible for.

Strengthening the system for identifying and enabling technical leaders

A number of BCAs needed to strengthen aspects of their system for identifying and enabling technical leaders. The main issues encountered centred around the need to better define or document their systems or the decisions made under those systems. For example:

- twenty-three BCAs had not sufficiently documented their process to *identify* technical leaders (even if they had actually been appointed)
- sixteen BCAs had not sufficiently documented their process to explain how they were to enable technical leaders to provide the leadership
- sixteen BCAs needed to better document decisions made under their systems, the rationale for such decisions, and their main outcomes
- some BCAs needed to improve their administrative processes such as formally recording the names of technical leaders, recording the formal acceptance by the technical leaders of their role, concluding any necessary agreements with staff identified as potential technical leaders, or completing the necessary authorisations for the technical leaders identified

- a small number of BCAs needed to ensure their staff fully understood the system for appointing technical leaders and what such appointments meant in practice for staff.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Revise the system for identifying, appointing, and/or enabling technical leaders and better document it
- Define and document their procedures for identifying, appointing and empowering technical leaders
- Review the justification for appointing given technical leaders to ensure this was based on their technical competence
- Ensure technical leadership was available for all building control work (or Code clauses) required and there were no gaps
- Formalise the appointment of external technical leaders (if used)
- Better record key decisions made under the system, reasons for decisions, and key outcomes

Summary of the recommendations

- Only eight recommendations were made about regulation 13, making it the regulation with the least recommendations across the assessment process.
- The recommendations were spread across eight BCAs. Four of these BCAs were smaller/rural councils, two were medium-sized city/provincial councils, one was a larger metropolitan/city council and one was a regional council.

Key themes from the recommendations

A small number of BCAs were asked to:

- review and clarify the link between the nomination of technical leaders and their competency assessment systems (reg 13(a))
- ensure technical leaders sign their authority as an indication that they have accepted the role
- provide training where staff can meet, and understand the role of, technical leaders
- ensure competency records for all technical leaders exist.

Summary of key findings for regulation 13

- Around a half of all organisations had to strengthen how they were identifying and/or enabling their building control technical leaders.
- Around one in three organisations needed to improve how they were ensuring technical leaders were appointed based on their actual building control technical competence.
- Around one in four organisations had to address issues relating to the 'scope' of their technical leadership (eg, gaps, ambiguities or overlaps in coverage)

ENSURING NECESSARY RESOURCES AND EQUIPMENT (REGULATION 14)

Purpose of regulation

Regulation 14 requires building consent authorities to have clear statements about the information, facilities and equipment they consider is required to effectively undertake building control work.

REGULATION 14: Ensuring necessary resources

A building consent authority must have a system for providing the technical and administrative information, facilities, and equipment that its employees and contractors need to perform building control functions effectively.

Note: Regulation 14 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Forty-two CARs were made about this regulation.
- The CARs were spread across 38 BCAs (four BCAs had two CARs each for this regulation). Twenty-two of these BCAs were smaller/rural councils, 12 were medium-sized city/provincial councils, three were larger metropolitan city councils, and one was a regional council.

Key themes from the CARs

Calibration of equipment

Thirty-four of the CARs made about BCAs' compliance with this regulation focused on how BCAs could strengthen their system for calibrating certain equipment their inspectors used (eg, thermometers and moisture metres).

The main issues identified were the need to:

- better define and document their processes around assessing the need for calibration of certain equipment (12 BCAs had CARs about this)
- improve how they recorded the reasons for their decisions to calibrate equipment (or not to), the levels of accuracy required, and the methods for checking and calibrating to be used in their systems
- ensure records of the calibration of equipment were created and maintained, and clear and unambiguous (12 BCAs had such CARs)
- ensure calibration actually occurred for the equipment identified as needing to be calibrated.

Other issues around facilities and equipment

Several BCAs needed to make some changes to fully comply with the requirements of regulation 14. Examples specific to one or two BCAs included:

- ensuring sufficient administrative facilities for staff as current facilities were too restricted in terms of space available
- providing training on the appropriate use of equipment and recording of measurements taken as equipment was under utilised or not used at all
- identifying the critical equipment needed and ensuring it has the required accuracy.

Management of technical information and administrative systems

Several BCAs were required to improve how they managed their technical information and administrative systems. Examples, specific to one or two BCAs, included:

- the need to document and implement a procedure for managing technical reference documents (including when such documents become superseded with more recent versions)
- updating vehicle/field copies of inspectors' manuals.
- formalising how technical information is disseminated to relevant staff, as new information was slow to reach some staff
- ensuring library registers identified all the technical information filed
- documenting how it will ensure contractors have adequate technical library facilities
- collating together policies and procedures needed to perform building control functions and training relevant staff so they know what is included in this documentation.

Overall system

Five BCAs were given broad CARs to develop, document and implement a system that met the requirements of Regulations 14, as they did not have a sound system in place at the time of the assessment.

Summary of the recommendations

- Fifty-two recommendations were made about this regulation.
- The recommendations were spread across 30 BCAs (10 BCAs had two recommendations, three BCAs had three recommendations and two BCAs had four recommendations). Seventeen of these BCAs were smaller/rural councils, 10 were medium-sized city/provincial councils, and three were large metropolitan city councils.

Key themes from the recommendations

Calibration of equipment

Similar to the CARs raised above, 15 BCAs were asked to improve their system for calibrating certain equipment their inspectors used (eg, thermometers and moisture meters).

The most common recommendations involved:

- reviewing the documentation, rationale, and procedures for calibrating equipment
- recording the justification for decisions on the criticality and accuracy of measurements and suitability of the instruments
- ensuring the equipment is calibrated regularly.

Office facilities

Seven BCAs were asked to review the availability of space or make more space available for building control functions.

Management of technical information

Fourteen BCAs were asked to review how they manage their technical information. The most common recommendations involved:

- reviewing their technical library to ensure all documents are current and the location of copies identified
- ensuring superseded documents were marked as such
- ensuring inspectors carry up to date technical information
- implementing a booking procedure for staff uplifting reference documents, standards, etc from the library
- improving computer processes involved in the administration and record systems.

Summary of key findings for regulation 14

- Around two thirds of organisations needed to strengthen their systems for calibrating the equipment they used in building control (such as thermometers and moisture meters).
- Around one in four organisations were asked to enhance how they manage the technical information used by their building control units.

KEEPING ORGANISATIONAL RECORDS (REGULATION 15)

Purpose of regulation

Regulation 15 aims to ensure all building control roles are documented, carried out by appropriate persons who understand their roles and responsibilities, and how their position relates to other positions within the organisation.

REGULATION 15: Keeping organisational records

- (1) A building consent authority must—
 - (a) record its organisational structure; and
 - (b) record, in the structure,—
 - (i) the reporting lines and accountabilities; and
 - (ii) any relationships the authority has with external organisations.
- (2) A building consent authority must record the following for its employees and contractors performing its building control functions:
 - (a) roles; and
 - (b) responsibilities; and
 - (c) powers; and
 - (d) authorities; and
 - (e) limitations on powers and authorities.

Note: This regulation must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- In total, only 14 CARs were made about this regulation, making it the regulation with by far the least CARs across the whole assessment process.
- The CARs were spread across 12 BCAs (one BCA had two CARs about this regulation). Nine of these BCAs were smaller/rural councils, three were medium-sized city/provincial councils, and one was a larger metropolitan city council.

Key themes from the CARs

Organisational structure (reg. 15(1))

Some BCAs were required to better document their organisational structures to meet the regulation.

Issues included that:

- nine BCAs had to better record the key relationships the BCA has with key external organisations such as contractors who undertake significant amount of work for the organisation
- five BCAs were required to show all reporting lines and accountabilities in their organisational structures
- one BCA needed to adequately document an organisational structure.

Documenting the roles and responsibilities of personnel (reg. 15(2))

Five BCAs were required to better document the roles, responsibilities, powers, authorities (and any limitations) of their staff and contractors in order to meet the regulation (eg, updating position descriptions).

Summary of the recommendations

- Twenty-one recommendations were made about this regulation across 21 separate BCAs.
- Fourteen of these BCAs were smaller/rural councils, five were medium-sized city/provincial councils, one was a large metropolitan city council and one was a regional council.

Key themes from the recommendations

Organisational structure (reg. 15(1))

Seven recommendations related to BCAs' organisational structure. The issues that were highlighted included:

- continually monitoring the implementation of building control function systems to ensure effective communication, efficiency and consistency of approach

- organisational charts to reflect all reporting lines and relationships to and within the BCA
- identifying the technical leaders in the organisational chart
- ensuring services performed by other parts of the council were the subject of a formal agreement.

Documenting the roles and responsibilities of personnel (reg. 15(2))

Ten BCAs received recommendations to improve how they were documenting the roles and responsibilities of their employees and contractors. Issues included:

- expanding job descriptions to provide better details of roles and responsibilities
- ensuring job descriptions match the organisation chart
- updating the delegations manual and providing updated lists of delegations and of warranted officers
- establishing delegations from Council resolutions
- establishing a matrix of authorities and limits of authorities for ease of identification
- clarifying whether authorities granted to employees and contractors are technical or administrative in nature.

Summary of key findings for regulation 15

- Around one in three organisations needed to better document their organisational structures, key reporting lines, or relationships with key internal or external stakeholders.
- Around one in five organisations had to improve how they were defining and documenting the roles, responsibilities, powers, authorities, or limitations on powers and authorities of their staff and contractors.

FILING BUILDING CONSENT APPLICATIONS (REGULATION 16)

Purpose of regulation

Regulation 16 is intended to help ensure the BCAs have sound record-keeping systems for their building control functions. To this end, BCAs must have a system for giving every application for a building consent its own file and for ensuring all relevant information received is stored on that file.

REGULATION 16: Filing applications for building consents

- (1) A building consent authority must have a system for giving every application for a building consent its own uniquely identified file.
- (2) A building consent authority must have a system for ensuring that all information relevant to an application for a building consent is—
 - (a) put on the application's file; and
 - (b) kept in a way that makes it readily accessible and retrievable; and
 - (c) stored securely.

Note: Regulation 16 must be read in conjunction with regulations 5 and 6.

Summary of the CARs made

- Thirty-eight CARs were made about this regulation
- The CARs were spread across 35 BCAs (three of the BCAs had two CARs each). Twenty BCAs were smaller/rural councils, 10 were medium-sized city/provincial councils, and two were larger metropolitan city councils. Three were regional councils.

Key themes from the CARs

Unique consent numbers (reg. 16(1))

Five BCAs needed to better ensure each building consent application was given a unique identifier (or building consent number) and/or its own file. Three BCAs were not giving formal amendments to existing building consents their own identifier.

Identifying relevant information for filing purposes (reg. 16(2))

Fourteen BCAs needed to more clearly define what information they regarded as being relevant to the building consent application and, therefore, had to be filed. In six BCAs assessed, relevant information was missing from consent files.

Ensuring relevant information is filed

Eighteen BCAs needed to improve how they were checking and ensuring all relevant information that was supposed to be filed was actually being filed. Some needed to document their procedure for how they were to ensure that this would happen, while others needed to better record when such a check had taken place and the outcome, prior to the file being put away for storage.

Electronic and hard copy filing

Seven BCAs needed to clarify issues over the means of filing information and creating records (ie, electronic and hard-copy records). In some BCAs there was ambiguity around which was the definitive/master copy or source (in some cases it appeared to be a combination of both). Another issue was whether both means of filing were required for all documents or just selected ones.

CARs required

In response to the issues noted above, BCAs were often requested to undertake one or more of the following corrective actions.

- Review the procedure for filing consent applications
- Define and document a procedure for ensuring all consent applications (including their plans, specifications, engineers' plans etc) and amendments to existing consents are given unique building consent numbers
- Develop a system that describes that information regarded as relevant must be filed for each application and how this will be ensured
- Clearly identify and document whether the official copy of building consent applications is be electronic or hard copy
- Appropriately file all relevant information
- Ensure a record is kept of what has been filed and of the decision that the file has been checked and closed

Summary of the recommendations

- Thirty recommendations were made about this regulation.
- The recommendations were spread across 27 BCAs (three BCAs had two recommendations each).
- Fourteen of these BCAs were smaller/rural councils, seven were medium-sized city/provincial councils, three were large metropolitan city councils and three were regional councils.

Key themes from the recommendations

Identifying relevant information for the application's file (reg. 16(2)(a))

The main filing issue was the need to clearly define what information is regarded as being relevant to the building consent application and, therefore, to be filed (a similar issue came up in the context of CARs, see above). Other issues raised in one or two BCAs included:

- considering keeping actual copies of consents on file rather than reproducing copies later from the computer system
- specifying in their contracts with contractors reasonable timeframes for the retrieval of consent files from contractors and including retrieval as a performance measure for contractors
- providing training in the use of property file documentation
- clarifying the interface between electronic and hard-copy filing
- ensuring building consents and code compliance certificates are included on files.
- ensuring the computer back-up process is included in the quality management system.
- including an index of what should be included in the filed documents.

Safeguards on information (reg. 16(2)(c))

The most common theme related to BCAs ensuring appropriate safeguards and security for information in their possession. Eight BCAs received recommendations about better protecting the information or restricting how the information can be used (while still allowing people access to it) – for example, not taking original copies off site where they could be lost or damaged, using scanned copies, ensuring information is made available to the public in a secure manner. Three BCAs needed to ensure documentation is more clearly given a unique identifier (eg, on all pages, if plans are used off site and are at risk of becoming separated or lost on site).

Summary of key findings for regulation 16

- Around one in four organisations needed to strengthen how they were defining what information was regarded as 'relevant' for filing purposes and/or better ensure such information was consistently being filed on the consent file.

Appendix 1 – Categorisation of councils

For the purposes of this report, 75 councils have been classified in terms of their size and the nature and volume of building and construction work they have to undertake.

9 LARGE METROPOLITAN/CITY COUNCILS

- Auckland City Council
- Christchurch City Council
- Dunedin City Council
- Hamilton City Council
- Manukau City Council
- North Shore City Council
- Tauranga City Council
- Waitakere City Council
- Wellington City Council

21 MEDIUM PROVINCIAL/CITY COUNCILS

- Far North District Council
- Franklin District Council
- Gisborne District Council (Unitary)
- Hastings District Council
- Hutt City Council
- Invercargill City Council
- Kapiti Coast District Council
- Marlborough District Council (Unitary)
- Napier City Council
- Nelson City Council (Unitary)
- New Plymouth District Council
- Palmerston North City Council
- Papakura District Council
- Porirua City Council
- Queenstown-Lakes District Council
- Rodney District Council
- Rotorua District Council
- Timaru District Council
- Upper Hutt City Council
- Wanganui District Council
- Whangarei District Council

REGIONAL COUNCILS

At the time of writing, only three of the 12 regional councils had applied for accreditation: Environment Canterbury, Environment Waikato and Otago Regional Council. Auckland Regional Council was still considering, and the other eight regional councils were transferring their BCA functions.

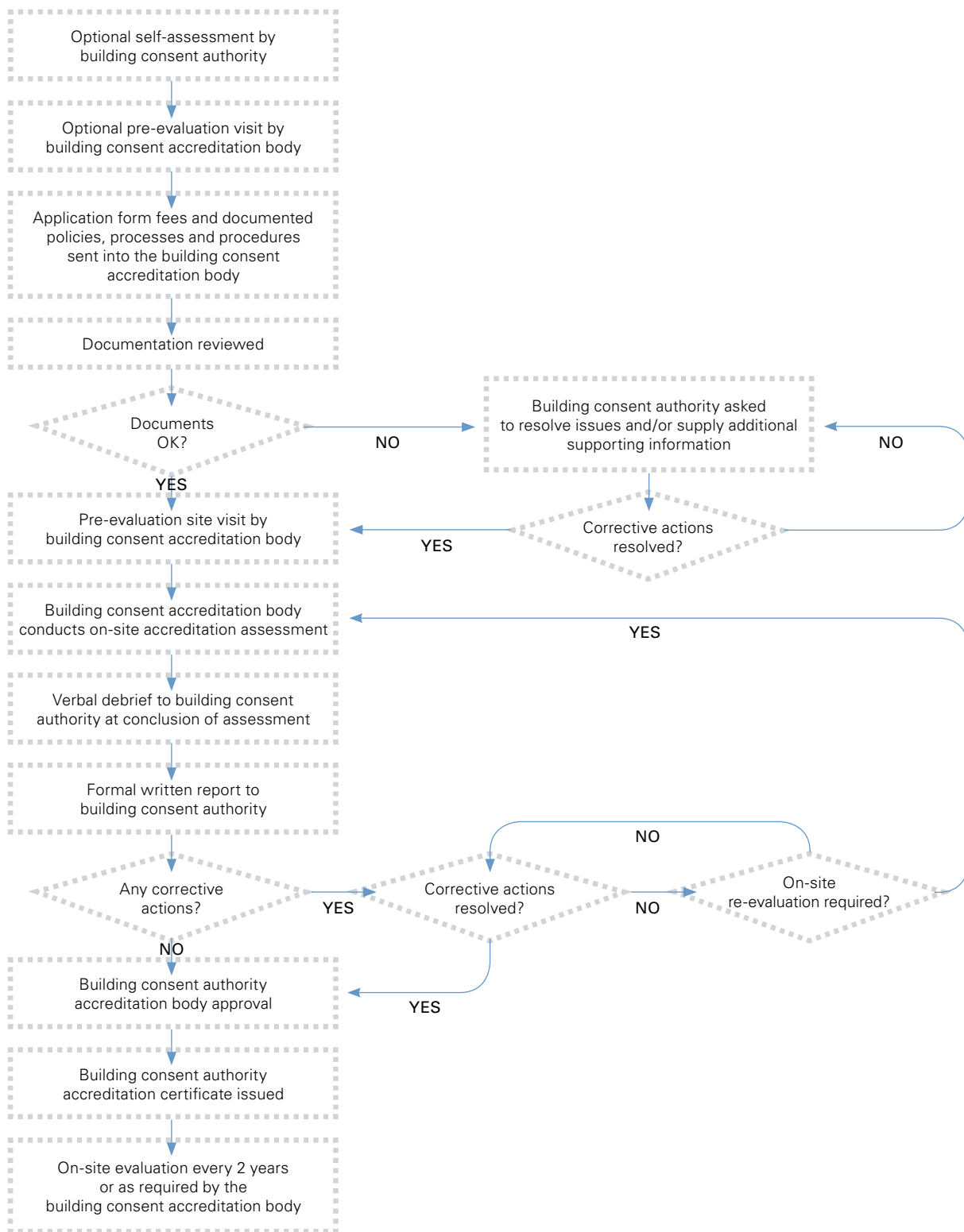
42 SMALLER/RURAL COUNCILS

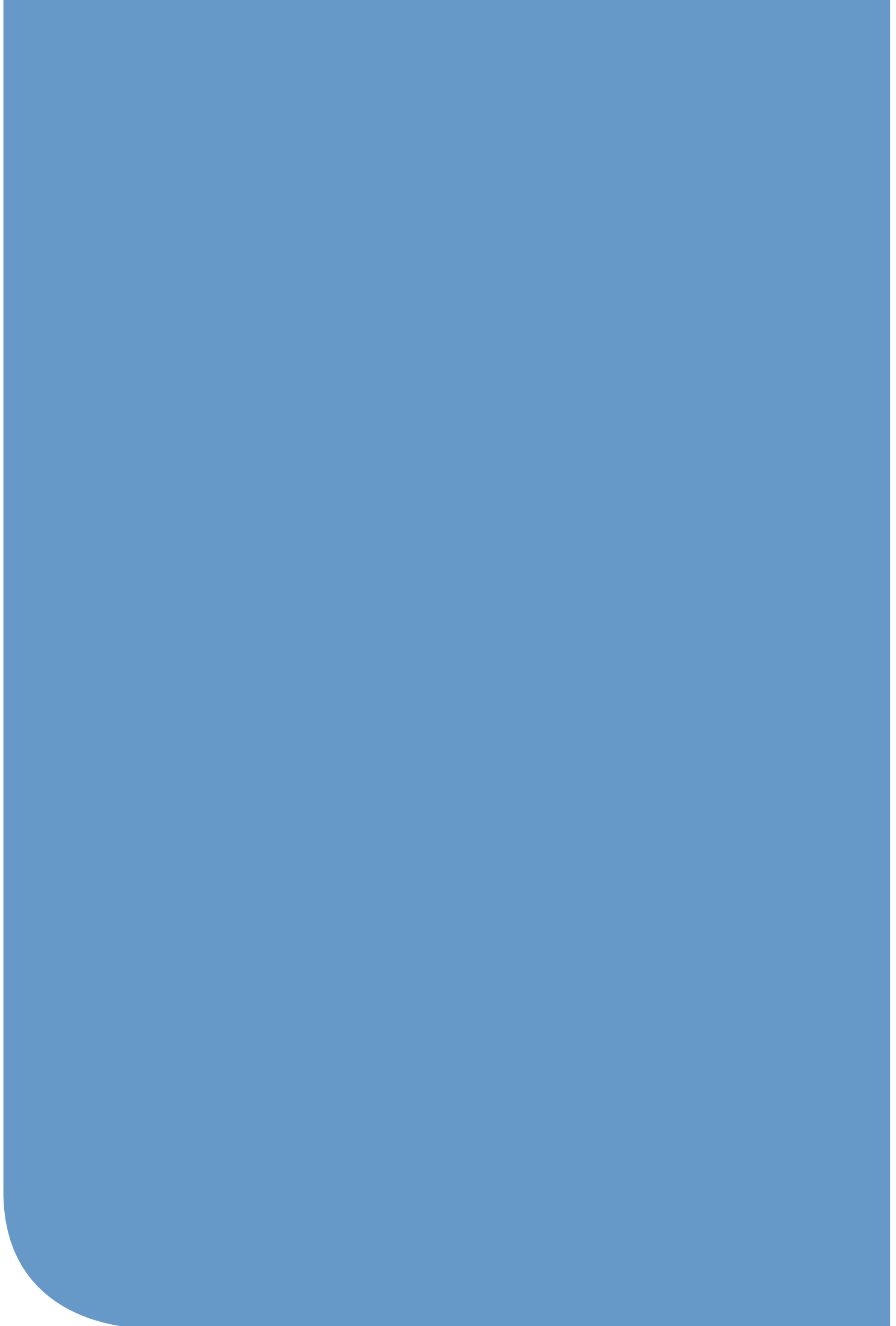
- Ashburton District Council
- Buller District Council
- Carterton District Council
- Central Hawke's Bay District Council
- Central Otago District Council
- Clutha District Council
- Gore District Council
- Grey District Council
- Hauraki District Council
- Horowhenua District Council
- Hurunui District Council
- Kaikoura District Council
- Kaipara District Council
- Kawerau District Council
- Mackenzie District Council
- Manawatu District Council
- Masterton District Council
- Matamata-Piako District Council
- Opotiki District Council
- Otorohanga District Council
- Rangitikei District Council
- Ruapehu District Council
- Selwyn District Council
- South Taranaki District Council
- South Waikato District Council
- South Wairarapa District Council
- Southland District Council
- Stratford District Council
- Tararua District Council
- Tasman District Council (Unitary)
- Taupo District Council
- Thames-Coromandel District Council
- Waikato District Council
- Waimakariri District Council
- Waimate District Council
- Waipa District Council
- Wairoa District Council
- Waitaki District Council
- Waitomo District Council
- Western Bay of Plenty District Council
- Westland District Council
- Whakatane District Council

NB: Chatham Islands District Council transferred its BCA functions to Napier City Council and so did not form part of the BCA assessment process.

Appendix 2 – Summary of the accreditation assessment process

Figure 3: Summary of the accreditation process





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