

Background to the BCA accreditation scheme

Last updated: 10 April 2017

This section of the website includes background information on the Government's decision to introduce the building consent authority scheme, its initial implementation and the 2015/16 review.



Why the scheme was introduced

In summary, the purpose of the Building Act 2004 (the Act) is to provide for:

- the regulation of building work
- the establishment of a licensing regime for building practitioners
- performance standards for buildings to support safety and wellbeing.

When the Act was introduced, the intention was to improve the control of and encourage better practice and performance in building design and construction. Decisions were also made to introduce the building consent authority (BCA) accreditation scheme (the scheme) to improve building regulatory control.

In introducing the scheme, Cabinet decided that "Territorial Authorities [TAs] are critical to the administration of the Act" and to building regulatory control, and required them "to apply for and hold a current certificate of accreditation" that would "ensure that each TA has the necessary ability (technical, management, systems, and people) to competently perform its statutory functions". It also decided that building control officials (BCOs) doing a technical job should hold an appropriate technical qualification.

The Building Act 2004 (http://www.legislation.govt.nz/act/public/2004/0072/latest/whole.html?search=sw_096be8ed80ff3936_%22building+consent%22_25_se&p=2%20-%20DLM306385) is available on the Legislation website.

Initial implementation of the scheme

After the Act came into force, the (then) Department of Building and Housing worked with territorial authorities and other key stakeholders on the scheme. In 2006, the Building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations) were introduced with a focus on four areas considered critical to best practice regulatory building control. These were:

1. Documented and effective policies, procedures and systems

The requirement to have documented policies, procedures and systems was intended to help BCAs set a minimum standard for the delivery of their consenting functions, including making consenting decisions, undertaking inspections, and issuing code compliance certificates and compliance schedules. It was intended to help BCAs better achieve consistency in delivering their consenting functions and to manage risk.

<http://mbie5.cwp.govt.nz/building-officials/bca-accreditation/background-bca-accreditation/>

Sound record-keeping and information storage policies and practices were considered essential to the effective delivery of a BCA's consenting processes. Records and information provide an audit trail of how a BCA processes consent applications, undertakes inspections and issues code compliance certificates, along with the decisions they make and the rationale for those decisions.

2. Sufficient skills and resources to undertake statutory functions

The requirement to have enough employees and contractors was intended to ensure that all BCAs could effectively deliver their consenting functions. This included meeting the required statutory timeframes (and other rules) for decision making.

The skills and resources requirements were intended to help BCAs identify people with the competencies and experience they needed to deliver their consenting functions. This was to ensure that BCOs worked within the limits of their technical competence and experience, and that BCOs' competence and experience was maintained or improved.

3. Documented and effective quality control systems

The requirement for all BCAs to have an effective quality assurance system was intended to strengthen their policies, procedures and systems overall, and help BCAs to identify opportunities, issues and risks to the delivery of their consenting functions. It was intended that effective quality assurance systems would lead to better quality consenting, inspection and compliance decisions.

4. Appropriate building control qualifications

It was the view of the Hunn Group and the Government that requiring BCOs to hold appropriate technical qualifications was necessary to improve both capacity and capability in the building control sector. A further benefit of the requirement was that it would support the development of a viable, professional career path for BCOs.

In addition to the regulations, in 2007, the Building (Registration of Building Consent Authorities) Regulations 2007 (the registration Regulations) and the Building (Consent Authority Accreditation Fees) Regulations 2007 were introduced to support the implementation of the scheme. The registration Regulations set out the criteria and standards for an accredited organisation to become a registered BCA, the details that must be provided on the application form and the required fee.

You can read the following on the Legislation website:

- [The Building \(Accreditation of Building Consent Authorities\) Regulations 2006](http://www.legislation.govt.nz/regulation/public/2006/0399/latest/whole.html%20-DLM424696) (<http://www.legislation.govt.nz/regulation/public/2006/0399/latest/whole.html%20-DLM424696>)
- [The Building \(Registration of Building Consent Authorities\) Regulations 2007](http://www.legislation.govt.nz/regulation/public/2007/0300/latest/DLM973528.html) (<http://www.legislation.govt.nz/regulation/public/2007/0300/latest/DLM973528.html>)
- [The Building \(Consent Authority Accreditation Fees\) Regulations 2007](http://www.legislation.govt.nz/regulation/public/2007/0102/latest/DLM434912.html) (<http://www.legislation.govt.nz/regulation/public/2007/0102/latest/DLM434912.html>)

[Report of the Overview Group on the Weathertightness of Buildings to the Building Industry Authority](http://www.stepupgroup.co.nz/wp-content/uploads/2011/09/32682.pdf) (<http://www.stepupgroup.co.nz/wp-content/uploads/2011/09/32682.pdf>) [PDF 583 KB] is the final report of the Hunn Group, and can be found on the Step Up Group website.

The first round of accreditation assessments

The results of the first round of accreditation assessments showed that, among other things, at the time of implementation:

- over two thirds of BCAs needed to improve one or more of their policies, procedures and systems so they were appropriate for their purposes
- over one half of all BCAs had significant capacity limitations and most of these organisations needed to strengthen their systems for assessing and managing their capacity needs
- there were issues with the way BCAs were allocating work to BCOs, and there was significant room for improvements in many BCAs' competency assessment processes, training systems and plans.

The 2015/16 review

A review of the BCA accreditation scheme was undertaken by the Ministry of Business, Innovation and Employment (MBIE) in 2015/16. At this time, most BCAs had been through multiple rounds of accreditation assessments, undertaken by the accreditation body on behalf of MBIE. The review drew from the experiences of MBIE, the accreditation body and the BCAs to consider whether:

1. the aims of the scheme had been achieved
2. there were opportunities to improve the scheme to further improve regulatory building control

3. the fee structure for accreditation was fair and reasonable.

The review focused the opportunities to:

- improve relationships between key stakeholders
- improve information gathering and information flows, including the sharing of good practice
- encourage greater engagement and shared work amongst BCAs
- provide for a flexible accreditation approach and timeframe
- support ongoing development and improvement in consenting practice.

The review found that most stakeholders thought that the scheme was a valid mechanism for supporting the delivery of BCAs' building control functions and that there had been a significant increase in BCAs' compliance with the scheme's accreditation requirements. It also found that there was room for improvement in compliance and that the scheme remained necessary for addressing BCA capability and capacity issues.

Many BCAs commented that there were opportunities for improvements to the scheme. A consistent comment received was about the need for clarity around the minimum policies, procedures and systems required by the Regulations. This is one of the reasons that MBIE has produced detailed regulatory guidance for applicants, accredited organisations, BCAs and the accreditation body.

[Detailed regulatory guidance on the BCA accreditation scheme \(https://www.building.govt.nz/building-officials/bca-accreditation/detailed-regulatory-guidance/\)](https://www.building.govt.nz/building-officials/bca-accreditation/detailed-regulatory-guidance/) has further information.

Key changes from the 2015/16 review

The key changes arising from the 2015/16 scheme review included:

- setting out a clear purpose statement and objectives
- clarifying the recording and reporting of non-compliance with accreditation requirements
- providing for a range of accreditation assessment types and timeframes
- requiring the use of the National BCA competency assessment system
- detailing a list of appropriate technical qualifications for BCOs
- introducing the fee-for-service for accreditation assessments.

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- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution Services Act 2006.