

Disagreements about accreditation requirements and processes

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This section of the website provides advice on how to deal with disagreements between the accreditation body and an applicant, accredited organisation or building consent authority about the accreditation requirements or accreditation processes.



Disagreements about accreditation

An applicant, accredited organisation or building consent authority (BCA) may disagree with the accreditation body:

- about its interpretation of accreditation requirements, including:
 - the minimum standards and criteria set out in the Building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations)
 - the Ministry of Business, Innovation and Employment (MBIE) guidance that applicants and accredited BCAs are assessed against.
- in relation to the accreditation process including the accreditation body's:
 - engagement with an applicant, accredited organisation or BCA
 - mechanism of undertaking any review of policies, procedures and systems
 - witnessing of activities; interviews; and/or reporting.

Disagreements about accreditation requirements

MBIE requires the accreditation body to have a policy and procedure for dealing with disagreements about accreditation requirements that includes having:

- service standards for acknowledging and resolving all disagreements
- a nominated key contact who is accountable for engaging the applicant or BCA
- processes for an objective and fair review of the matter
- processes for ensuring no detriment to the applicant, accredited organisation or BCA
- processes for consulting on preliminary decisions about the matter with the applicant or BCA
- processes for documenting how the disagreement was concluded, the outcome and actions taken
- processes for notifying MBIE and the applicant or BCA of the outcome and actions taken.

In the first instance, all disagreements about accreditation requirements must be raised by the applicant, accredited organisation or BCA's authorised representative with the accreditation body's lead assessor. This should be done in the assessment exit meeting, upon the receipt of an assessment report, or otherwise as soon as possible. It may be that the disagreement can be quickly and easily resolved by discussion between the two parties.

Where a disagreement is not resolved between the authorised representative and lead assessor, the lead assessor will escalate it to the General Manager: Accreditation Services. They will appoint a competent and capable person who is independent to the assessment. That person must have the capacity to review the matter and offer an independent view; generally within 10 working days or another timeframe agreed between the accreditation body and complainant.

The independent person may be appointed from the accreditation body's personnel, may be a technical expert or a private person.

The person appointed by the General Manager may choose to seek advice or guidance from MBIE if necessary. This is because it is MBIE's responsibility to decide what the required minimum standard is where there is a disagreement between the accreditation body and an applicant or accredited BCA that cannot be resolved.

Disagreements about accreditation processes and the accreditation body

Any complaint about the processes and performance of the accreditation body, in particular, accreditation body personnel or technical experts will be investigated by its Manager: Quality Improvement, consistent with its complaint process.

Complaints about accredited BCAs

Where the accreditation body receives a complaint about a BCA, it will refer the complainant back to the BCA making reference to section 7(2) (h) of the Regulations. The accreditation body will also advise the complainant that complaints can be made about BCAs to MBIE's Chief Executive under section 200 of the Building Act 2004.

[The Building \(Accreditation of Building Consent Authorities\) Regulations 2006](http://www.legislation.govt.nz/regulation/public/2006/0399/latest/DLM424665.html) (<http://www.legislation.govt.nz/regulation/public/2006/0399/latest/DLM424665.html>) are available on the Legislation website.

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- with compliance with the Building Act, it is published under section 175 of the Building Act
- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution Services Act 2006.