

Maintaining accreditation

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This section of the website sets out the requirement for an accredited organisation or building consent authority to maintain compliance with the accreditation requirements. It provides detail on the type and frequency of ongoing accreditation assessments.

Section 215 of the Building Act 2004 (the Act) requires a building consent authority (BCA) within a territorial authority and section 241 requires a BCA within a regional authority to maintain accreditation at all times. The requirement applies only to those functions that the territorial or regional authority has not formally transferred to another BCA.

A private BCA must also maintain accreditation and registration to independently perform building control functions otherwise it will be committing an offence against section 199 of the Act.

In order to maintain accreditation, an accredited organisation or BCA must maintain its compliance with all accreditation requirements and undergo regular accreditation assessments. The frequency and type of accreditation assessment undertaken depends on the organisation or BCA's performance.



Types of accreditation assessments

A full accreditation assessment

A full accreditation assessment is a comprehensive assessment by the accreditation body of an accredited organisation or BCA's compliance with the accreditation requirements. It is an assessment that involves sampling of activities related to one or more accreditation requirements. The size and depth of sampling is based on the performance of an accredited organisation or BCA.

A full accreditation assessment is similar to an initial accreditation assessment in its scope, duration and the process and procedure undertaken by the accreditation body. It includes the assessment of any new accreditation requirements introduced since the last assessment.

A full accreditation assessment may identify a need for a further monitoring assessment (within a defined timeframe). A monitoring assessment may be necessary where there is concern about the organisation or BCA's ongoing compliance with its accreditation requirements.

Full accreditation assessment of a BCA cluster

There are no differences between a full accreditation assessment of an individual BCA or a BCA cluster. On-site assessments by the accreditation body may be undertaken at one or more offices of the individual BCAs within the cluster. The witnessing of activities including processing, inspection and certification activities may also be undertaken at one or more site or sites where they occur.

Monitoring assessments

A monitoring assessment is not a comprehensive, full accreditation assessment. It is an assessment that involves sampling of activities related to one or more accreditation requirements. The size and depth of sampling is based on the performance of an accredited organisation or BCA.

In a monitoring assessment, sampling for:

- high-performing organisations or BCAs will be light, and may have a narrow focus
- poor-performing organisations or BCAs will be more in-depth and may have multiple focus points.

A monitoring assessment will include a targeted document review of one or more policies, procedures and systems, and may be done remotely. A monitoring assessment may also include targeted:

- reviews of records of one or more implemented policies, procedures and systems
- interviews with employees and contractors and other key organisational representatives
- witnessing of activities.

For organisations or BCAs with an independent quality assurance system, a monitoring assessment may focus on the effective and consistent operation of that system.

A monitoring assessment may result in the accreditation body being satisfied of the BCA's ongoing compliance with accreditation requirements. In some cases, a monitoring assessment may develop, through the assessment process, into a full assessment. This may occur where the process identifies non-compliance or the need for an on-site assessment, witnessing of activities or audit of records due to a concern about non-compliance.

Monitoring assessments may be used to assess high-performing organisations or BCAs where the Ministry of Business, Innovation and Employment (MBIE) considers it is not necessary to fully assess their policies, procedures and systems, and their effective and consistent implementation every two years. In these cases, monitoring assessments are undertaken as an alternative to a full assessment.

Monitoring assessments also may be initiated by MBIE or the accreditation body where there is current or potential future concern about an accredited organisation or BCA's compliance with its accreditation requirements. This may be as a result of a full assessment or where there are changes, for example in the management or organisational structure, or due to the departure of employees in technical jobs, which MBIE and the accreditation body are notified about. In these cases, a monitoring assessment may be in addition to a full assessment.

Monitoring assessments where there is independent quality assurance

A monitoring assessment of an accredited organisation or BCA with an independent quality assurance system, which includes independent audits, may focus on the appropriateness of the quality assurance system, and its effective and consistent implementation. The system should enable the BCA to:

- identify non-compliance or the potential for non-compliance with accreditation requirements
- identify risks in the organisation or BCA's performance of building control functions
- identify opportunities for improvement within the organisation or BCA
- support continuous improvement in the performance of building control functions.

An assessment focused on a BCA's quality assurance system may negate or reduce the need for the individual policies, procedures and systems required by the Building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations) to be assessed.

A BCA that wants its monitoring assessment to focus on its quality assurance system must identify this to the accreditation body, which must – in turn – seek MBIE's consent to follow this approach. The BCA or its parent organisation must be currently certified under AS/NZS ISO 9001:2016 Quality management systems – Requirements accreditation or otherwise meet the following criteria.

The accredited organisation or BCA must have a:

- Quality Manager who does not perform any building control functions within the BCA, and has the administrative authority to recommend and/or implement changes to the BCA's policies, procedures and systems (with the approval and support of the responsible manager)
- quality policy and assurance system that:
 - is linked to the BCA or parent organisation's strategic direction
 - has a clear scope
 - has quality objectives with measurable performance indicators
 - has quality monitoring and reporting requirements
 - details the process for identifying and implementing changes to support continuous organisational improvements
 - is regularly reviewed and updated, with updates communicated to employees.
- management commitment to quality and continuous improvement that can be evidenced through:
 - the BCA or parent organisation's quality policy and customer service policy (or similar)
 - management communications on quality, service and continuous improvement
 - regular management review of organisational policies, procedures and systems
 - staff involvement in customer service and continuous improvement initiatives and activities.

- customer service policy (or similar) (that may be a part of or separate to the quality assurance system) that sets out principles or minimum standards for service delivery and resolving issues related to service and performance. The policies and process must be publicly promoted and the BCA must also ensure that employees and contractors are informed and, as necessary, trained in them
- risk management policy and system (that may be a part of or separate to the quality assurance system) and that:
 - identifies risks related to the performance of building control functions
 - prioritises risks considering their likelihood and consequence
 - and includes appropriate mitigations.

The BCA must be able to show evidence that the risk register is maintained and mitigations are consistently and effectively implemented

- conflict of interest policy and system (that may be a part of or separate to the quality assurance system) in which:
 - a conflict of interest is defined
 - employees and contractors are asked to declare perceived, potential or actual conflicts which are recorded
 - actual conflicts are managed.

The BCA must be able to show evidence that the conflict of interest register is maintained and mitigations are consistently and effectively implemented

- independent audit system (that may be a part of or separate to the quality assurance system) that:
 - includes an audit plan that covers all the systems required by the Regulations
 - includes a defined scope and criteria for each audit
 - requires audit reports to be submitted, at minimum, to the BCA's quality manager and responsible manager
 - requires action (within a defined timeframe) to respond to adverse audit findings or non-compliance with the scheme's accreditation requirements
 - includes evidence of audits and actions to be retained.

For the purposes of accreditation 'independent audit system' may be understood as being a system that is consistently and effectively implemented by an independent auditor or auditors, who may be employees of the BCA or its parent organisation, or competent contractors. To be independent, the person or persons undertaking the audit must not perform any building control functions within the BCA (but may have administrative authorities, for example as part of the management team). An auditor must not be in a position of auditing their own work.

Monitoring assessment of a BCA cluster

There are no differences between a monitoring assessment of an individual BCA or a BCA cluster. If there are concerns about the cluster's compliance with accreditation requirements, they may be notified of a monitoring assessment in addition to the two-yearly full assessment. High-performing clusters may move into the monitoring assessment regime where agreed by MBIE.

ISO Standard assessments

Accreditation assessments of an organisation or BCA with ISO Standard accreditation will occur as part of the ISO Standard assessment process. Compliance with accreditation requirements will be assessed as a scope of accreditation under the standard. Further detail about the ISO Standard assessment types can be sought from the accreditation body.

If there is a disagreement about the accreditation requirements, the accreditation scheme's agreed approach to resolving the issues accreditation process must be followed. Where necessary, advice or guidance must be sought from MBIE. This is because it is MBIE's responsibility to decide what the required minimum standard and criteria is for BCA accreditation. MBIE has no role, however, in determining matters related to requirements under the ISO Standard.

[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.

Frequency of accreditation assessments

Section 249 of the Act requires the Chief Executive of MBIE to specify the minimum frequency of accreditation assessments in the New Zealand Gazette (the Gazette). The Act requires that some form of accreditation assessment must be undertaken at least once every three years. The Gazette notice narrows this timeframe to two years.

Accreditation assessments for high performers

High-performing accredited organisations and BCAs may have:

- full assessments at a maximum of six-yearly intervals
- monitoring assessments in the intervening years at a maximum of two-year intervals.

Generally, a high-performing organisation or BCA is considered by MBIE to be committed to the BCA accreditation scheme (the scheme) and to continuously meeting all accreditation requirements. This means that non-compliance is not found in any accreditation assessments.

MBIE may also take a range of other factors into account when determining high performance.

Accreditation assessments for poor performers

Poor-performing accredited organisations and BCAs will have full assessments at no greater than two-year intervals. They may also be required to have additional monitoring assessments in the intervening periods to enable the accreditation body to be satisfied that they are meeting their accreditation requirements.

Generally, a poor-performing accredited organisation or BCA may not demonstrate commitment to the scheme and continuously meeting all accreditation requirements. The accreditation body may regularly find examples of non-compliance in its accreditation assessments.

MBIE may also take a range of other factors into account when determining poor performance.

Accreditation assessments under the ISO Standard

Accreditation assessments for an organisation or BCA with AS/NZS/ISO/IEC: 17020:2013 Conformity assessment – Requirements for the operation of various types of bodies performing inspection (ISO Standard) accreditation will be determined by the accreditation body based on the organisation's performance against the ISO Standard. But, the timeframes between assessments must not exceed those required by this scheme.

Further ability to initiate an assessment at any time

MBIE or the accreditation body can initiate an accreditation assessment at any time. This is essential to the success of the scheme as it enables MBIE or the accreditation body to initiate an assessment if there is a concern about an accredited organisation or BCA's compliance with their accreditation requirements. This may be as a result of a change in management or organisational structure, or due to the departure of employees in technical jobs. In some cases, MBIE may identify a concern about an accredited organisation or BCA's performance due to the number or nature of complaints being made or determinations being sought in relation to its actions or decisions.

An accredited organisation or BCA may also request the accreditation body undertake an assessment or an advisory visit at any time. Any assessment or advisory visit requested in addition to that required by the scheme is a matter for the organisation or BCA and the accreditation body. However, MBIE requires the accreditation body to report any concern that the BCA has:

- failed or is failing, without good reason, to perform any or all of its consenting functions
- been negligent in performing any or all of its consenting functions.

The matters referenced above are different to a BCA failing to comply with the accreditation requirements of the scheme (although they may be related). Failure or negligence are the legal tests that must be met for the MBIE's Chief Executive to initiate an investigation into a BCA due to a serious concern about its operation. Concern about compliance with accreditation requirements is a matter that can be dealt with between the accreditation body and the BCA. Non-compliance may be formally raised and reported in their next accreditation assessment.

It is important to note that it is not possible to simply define a 'good reason' for a BCA failing to perform any or all of its consenting functions. The accreditation body may report a range of concerns related to a BCA's operation and delivery of its building control functions. But the 'good reason' test is a matter for MBIE's Chief Executive to consider before the use of the powers in section 203.

MBIE's Chief Executive's 'good reason' considerations have a high threshold and should generally be related to the consideration of circumstances outside a BCA's control, such as:

- environmental disasters, like earthquakes, major floods or fires
- social disruptions, such as significant civic unrest.

Section 215 of the Building Act 2004 (http://www.legislation.govt.nz/act/public/2004/0072/latest/DLM307858.html?search=sw_096be8ed80ff3936_%22maintain+that+accreditation%22_25_se&p=1) is available on the Legislation website.

Building (Requirements for Building Consent Accreditation Body) Notice 2017 (<https://gazette.govt.nz/notice/id/2017-go995?year=2017¬iceNumber=go995>) on the New Zealand Gazette website details the accreditation assessment frequencies.

Notification of a future accreditation assessment

At the conclusion of each accreditation assessment, the type and timeframe of an accredited organisation or BCA's next accreditation assessment must be decided. There are seven key steps in this process.

[Diagram: Notification of a future accreditation assessment](#)



Step one: The accreditation body will:

- engage with the applicant, accredited organisation or BCA and make a final determination of whether the accreditation requirements have been met
- discuss its view of the timeframe and type for the next accreditation assessment with the authorised representative.

Step two: The accreditation body will formally advise the applicant, accredited organisation or BCA, and MBIE, of its determination through its accreditation report.

Step three: The accreditation body will formally make a recommendation about the next assessment timeframe and type to MBIE, considering, for example whether it is necessary to:

- fully assess the accredited organisation or BCA's policies, procedures and systems, or to recommended a move to the monitoring regime where the organisation or BCA has:
 - shown improvement across its accreditation assessments continuously
 - been fully compliant with accreditation requirements in the last two assessments.
- move an organisation or BCA on the monitoring regime back into the full assessment regime and fully assess its policies, procedures and systems, and their implementation.

Step four: MBIE will consider whether an accredited organisation or BCA may move between regimes and may take account of indicators and information in addition to an accreditation assessment. For example:

- complaints MBIE receives about territorial authorities, regional authorities and BCAs
- determinations that may identify issues within a BCA.

Step five: Before MBIE makes a decision to move an accredited organisation or BCA into the monitoring assessment regime it will seek the agreement of the authorised representative. This is because some organisations and BCAs may wish to maintain full assessments.

Step six: MBIE will formally advise the accreditation body of its decision.

Step seven: The accreditation body will formally advise the accredited organisation or BCA about when its next accreditation assessment will be scheduled. This notification is subject to the power to initiate an assessment at any time.

The accreditation body will also contact an accredited organisation or BCA to remind them of an upcoming accreditation assessment a minimum of six weeks before that assessment is due to occur. At this time, the accreditation body will request a range of information that is necessary to support the accreditation assessment and supply a reassessment checklist for completion. This information, and the details on the checklist, must be provided to the accreditation body for the reassessment process to proceed.



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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.