

Building Consent Policy

IQP registration – disciplinary code

Purpose:

To provide the values, principles and beliefs in delivering building owners a level of quality specified system inspection work and personal ethics by registered Independent Qualified Person (IQP) to sustain a safe and healthy workplace.

Policy:

The disciplinary code applies to all registered IQP (individuals).

Council will manage disciplinary matters under a due and fair process to provide an efficient procedure, received in writing by the Registrar and / or Panel relating to an IQP.

In the Public interest, IQP needs to be held accountable for their performance in carrying out their responsibilities under the appropriate sections of the Building Act 2004 inclusive of any amendments.

References:

Regulation

- Building Act 2004 – section 7

Internal reference

- AC1432 IQP registration guidelines

Process overview:

Principle of policy

IQP's are expected to be honest in dealings and act lawfully and ethically in the best interests of building owners and Auckland Council, compliant to all relevant legislation, regulations and the building code. All information gained are treated with care and to be used for appropriate purposes.

Disciplinary action is applied to encourage acceptable work ethics and provide consequences for failing to do so. Reasons for discipline but not limited to

- Did or supervised work negligently or incompetently
- Obtaining registration for specified systems dishonestly
- Carried out work on systems they were not registered for
- Consistently failing to provide correct documentation
- Misrepresented their competence on specified systems
- Carried out or supervised work on specified systems outside their competency
- Has provided false information / documentation to building owner or Auckland Council
- Either orally or in writing made any declaration or representation, knowing it to be false or misleading
- Produced to the Registrar or made use of any document, knowing that it was not genuine
- Complaint received from a customer regarding the quality of the service being provided or any matter regarding inappropriate behaviour.

Warning

Auckland Council reserves the right to vary the warning process as deemed appropriate to the situation. The warning process may include but is not limited to

- In the first event of a breach of discipline the IQP may be issued an oral warning, formal written (Level 1)
- In the second event of a breach of discipline the IQP may be issued a first written warning (Level 2)
- In the third event of breach of discipline the IQP may be issued a final written warning (Level 3)
- In the event of any further breach of discipline the IQP may be classified as serious misconduct ending in suspension or deregistration (Level 4).

Penalties

Depending on the seriousness of the breach, penalties may include

- Request that further training is required
- Being formally reprimanded, orally or written
- Suspension of registration up to 12 months
- Removed from the register entirely or deregistered for a specified system.

Serious misconduct

An instant suspension from the IQP register during an investigation. This may mean waiting for reports from emergency services or suitably qualified persons to determine the extent of the issue.

Serious misconduct may include but is not limited to

- A specified system is found to be in a state that would suggest that no testing and / or maintenance has been completed for some time
- A specified system is directly linked to a serious injury
- A specified system is directly linked to a death.

Suspension / Removal of registration as an IQP

Registration will continue if it is determined no further action is required. If further action is required, registration may be suspended until further investigation is complete. The information will be relayed to the IQP and to other Territorial Authorities. Removal of registration would only occur after a thorough investigation had been completed and if the findings are that the IQP registration is to be suspended or deregistered the IQP and TA will be notified.

Appeals

Any complainant may request an appeal of the outcome of the disciplinary hearing. The appeal will be forwarded to a senior management committee to consider and respond.