

General complaints policy

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Purpose

1. This policy sets out how the Plumbers, Gasfitters, and Drainlayers Board deals with complaints from registered people who are dissatisfied with an action, decision, or order of the Board made under the Plumbers, Gasfitters, and Drainlayers Act 2006.

Legislation and relevant policies

2. The following legislation is relevant to this policy:
 - a Plumbers, Gasfitters, and Drainlayers Act 2006
 - b Plumbers, Gasfitters and Drainlayers Board (Plumbing Registration and Licensing) Notice 2016
 - c Plumbers, Gasfitters and Drainlayers Board (Gasfitting Registration and Licensing) Notice 2016
 - d Plumbers, Gasfitters and Drainlayers Board (Drainlaying Registration and Licensing) Notice 2016
 - e Plumbers, Gasfitters and Drainlayers Board (Fees and Disciplinary Levy) Notice 2018.
3. This following Board policies are relevant to this policy:
 - a Decision-making
 - b Dealing with unreasonable behaviour
 - c Employer licences
 - d Examinations
 - e Fees or levy waiver or refund
 - f Fit and proper person
 - g Licensing
 - h Official information and privacy
 - i Delegations
 - j Public register
 - k Registration
 - l Section 12-25 exemptions
 - m Section 52 exemptions
 - n Supervision.

Definitions

4. In this policy:

Act means the Plumbers, Gasfitters, and Drainlayers Act 2006

Board means the Plumbers, Gasfitters and Drainlayers Board

complainant means the person making the complaint

complaint means a written complaint about an action, decision or order of the Board

decision-maker means the person responsibility for deciding whether or not a complaint is made out and what action will be taken in response to a complaint

Registrar means the Registrar of the Board

staff means employees of the Board and includes any contractors.

Guiding principles

5. The Board handles any complaint it receives in a fair, reasonable, objective and unbiased manner.
6. Complaints are handled and prioritised according to the seriousness and complexity of the issues involved.
7. Complainants are provided with information about the handling of their complaint and are given an opportunity to comment before a final decision is made about their complaint.
8. Personal or sensitive information that is provided as part of a complaint is kept confidential and only used for the purposes of addressing the complaint.
9. The Board is advised of the receipt of any general complaint and is kept informed of its progress.
10. The Board publishes its general complaints policy on its website.

Complaints covered by this policy

11. This policy does not apply to complaints about:
 - a a decision, action or order of the Board under Part 3 of the Act (concerning discipline and offences)
 - b the result of a Board examination
 - c decision, action or order of the Board under the Plumbers, Gasfitters and Drainlayers Act 1976.
12. The types of grounds for making a complaint under this policy include, but are not limited to, that the Board decision, action, or order:
 - a was made improperly
 - b took into account an irrelevant consideration or did not take into account a relevant consideration
 - c was not consistent with other equivalent decisions when it should have been
 - d was not made when it should have been (eg, the Board failed to make a decision when it should have)
 - e took into account a matter that was incorrect.
13. It is not grounds for a complaint under this policy that the complainant is simply unhappy with a Board decision, action or order.

Making a complaint

14. A complaint must be made within six months of the complainant being told of the Board decision, action, or order they wish to complain about.
15. Complaints must be in writing, and must clearly identify:
 - a the name and contact details of the complainant
 - b the decision, action or order of the Board being complained about and when that decision, action or order was made
 - c why the complainant is complaining about the decision, action or order

- d whether the complainant has raised the issue before (eg, with any other person at the Board) and what any outcome was if they have
 - e the outcome the complainant is seeking from their complaint.
16. Complainants must provide any relevant supporting material which they wish to have considered as part of their complaint.
 17. The complaint should be addressed to the Registrar and can be posted, emailed or hand delivered to the Board's offices.
 18. All complaints are acknowledged upon receipt and the complainant is advised where they can find a copy of this policy.

Declining a complaint

19. The Board may decline to consider a complaint that:
 - a is the same, or substantially the same as a previous complaint from the same complainant
 - b would more appropriately be addressed by a different agency (eg, the Ombudsman or Privacy Commissioner) or using a different process (eg, a registration or licensing process)
 - c is trivial, frivolous, or vexatious
 - d falls outside the scope of this policy.
20. Where the Board declines to deal with a complaint, the complainant is advised that their complaint cannot be considered as a general complaint and the reasons why.
21. If the complaint is something which would be more appropriately addressed by a different agency, the complainant is advised which agency to address their complaint to.
22. If the complaint is something which would be more appropriately addressed using a different process, the complaint is transferred to the different Board process and the complainant is advised.

Considering the complaint

23. Before considering the complaint all relevant information is gathered from:
 - a the complainant (if not already provided or further information is required)
 - b applicable Board records
 - c any third parties with relevant information.
24. Once all the relevant information has been gathered, a draft complaint report is prepared about the complaint:
 - a identifying and analysing the issue or issues
 - b providing an opinion on the merits of the complaint
 - c providing options for dealing the complaint
 - d identifying the decision-maker

- f identifying any follow-up action such as changes required to processes and/or other people who may be affected.
- 25 The draft report is provided to the decision-maker.
- 26 The decision-maker reviews the draft complaint report and provides a copy to the complainant for their comments.
- 27 The decision-maker reviews any comments received by the complainant in response to the draft complaint report.
- 28 The decision-maker makes a decision on the complaint as soon as practicable after receiving any comments from the complainant.
- 29 The complainant is notified of the outcome of their complaint as soon as practicable after a decision is made.
- 30 The complainant is advised of any rights of review or reconsideration that may be available to them.
- 31 Where a complaint is upheld, Board policies, processes and practices are reviewed to ensure any issues identified by the complaint are addressed and any appropriate steps are taken.

Decision-maker

- 32 Where a complaint relates to a statutory function, the decision-maker is the person or persons identified in the Act with responsibility for that function, subject to any delegations (eg, the Registrar or the Board).
- 33 Where the complaint relates to an action of the Chief Executive or Registrar, the decision-maker is the Board.
- 34 Where the complaint relates to an action by a staff member, the decision-maker is the Chief Executive.

Timeframes

- 35 Complaints are handled in the most efficient and effective manner having regard to the number, nature and complexity of the issues involved, and the resources available to deal with the complaint.
- 36 The Board expects most general complaints should be able to be dealt with in less than two calendar months from receipt of the complaint.
- 37 Where the decision-maker is the Board, the timing of the final resolution of the complaint will be dependent on the Board's meeting schedule.