

## Purpose

The purpose of this document is to provide a code of conduct to which all Independent Qualified Person's (IQP's) registered with Wellington City Council (WCC) will abide by. This code sets the values, principles and beliefs required to deliver building owners the specified system inspection work they require. This code sets standards for personal ethics by registered IQP's to sustain safe and healthy buildings and workplaces.

## Scope

This code applies to all registered Independent Qualified Persons (Individuals). The principles of the code must be adhered to by all IQP's carrying out functions under their capacity as a WCC registered IQP. In the Public interest, Independent Qualified Persons need 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.

Disciplinary matters will be conducted by WCC under a due and fair process. Any complaint must be received in writing with sufficient evidence and grounds for WCC to initiate an efficient and fair disciplinary decision.

## Principles of code

- Acting lawfully and ethically in the best interests of building owners and WCC.
- Being honest in dealings with WCC and building owners.
- Being of sound character – having integrity, reliability and values that align with this code.
- Treating all information gained with care and using it for appropriate purposes only.
- Complying with all relevant legislation, regulations, standards and the building code.
- Disciplinary action is taken to deter future unacceptable behaviour. Disciplinary action will encourage high standards of work quality, promote ethics and provide consequences for failing to do so.

## Grounds for discipline (*not limited to*)

- An IQP that -
  - Carried out or supervised work negligently or incompetently
  - Obtained registration for specified systems dishonestly
  - Carried out work on systems they were not registered for
  - Consistently fails 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 Wellington City 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
- A complaint received by WCC from a customer regarding the quality of the service being provided, or any matter regarding inappropriate behaviour, and which after investigation is proven to be substantiated

## Warning process

WCC reserves the right to vary the warning process as appropriate to the situation. The warning process may include but is not limited to the following:

- In the first event of a breach of this code, the IQP may be issued an oral warning, followed-up in writing (Level 1)
- In the second event of a breach of this code the IQP may be issued a first written warning, indicating the likely consequences should a breach re-occur (Level 2)
- In the event of any further breach of this code the actions of an IQP may be considered as serious misconduct, and may result in suspension or de-registration (Level 4)

## Penalties

- Require an IQP undergo further training to ensure their competency is appropriate for the work they are conducting.
- Being issued a final warning, such that any further misconduct will result in suspension or de-registration.
- Suspension of registration for up to 12 months
- Removed from the register permanently, or de-registered permanently for a specified system.

## Serious misconduct

All serious misconduct will mean an instant suspension from the IQP register during any investigation led by WCC. 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 inspection, maintenance and reporting (IMR) has been completed for 12 months, or more
- A specified system identified as having inadequate IMR procedures undertaken is directly linked to a serious injury
- A specified system identified as having inadequate IMR procedures undertaken is directly linked to a death

## Suspension/removal of registration as an Independent Qualified Person

As a result of a disciplinary investigation, if it is determined that no further action is required then registration will continue. The reasoning for the decision will be summarised to all parties involved in the complaint/investigation.

If further investigation is required after initial assessment of a complaint, WCC may suspended registration until further investigation is completed. This information will be relayed to the IQP, any complainants and any relevant building owners and to other Territorial Authorities.

Removal of registration would only occur on conclusion of a thorough investigation. If it is considered the appropriate action that an IQP's registration should be suspended or deregistered, the IQP and Territorial Authorities will be notified.

## Appeals

Any complainant or IQP facing disciplinary action may request an appeal of the outcome. The appeal will be forwarded to a senior manager to consider and respond.